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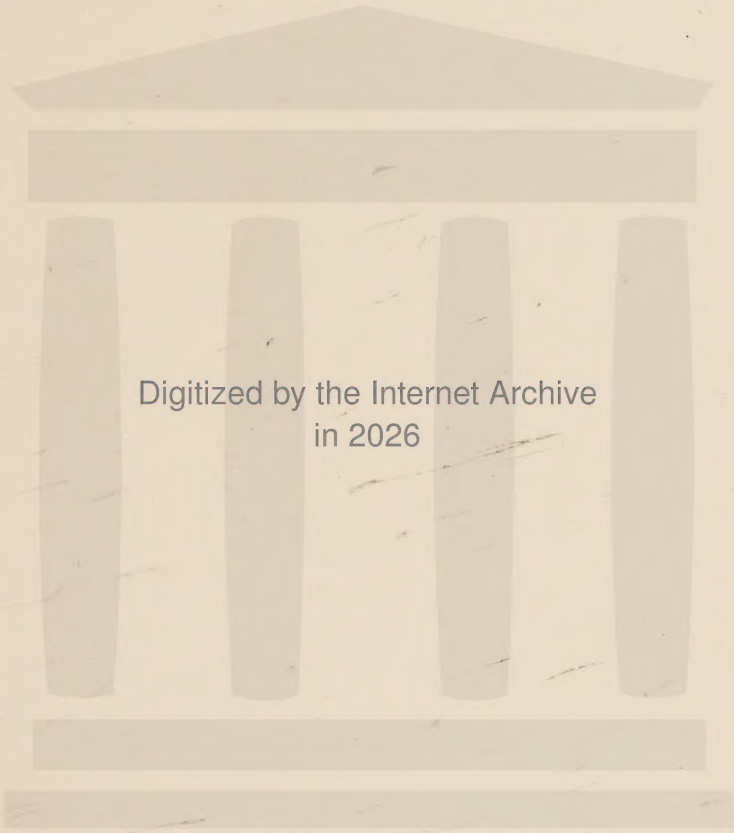

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THE CENSORSHIP OF THE CHURCH

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THE CENSORSHIP OF THE CHURCH OF ROME

AND ITS INFLUENCE UPON THE PRODUCTION AND DISTRIBUTION OF LITERATURE

A STUDY OF THE HISTORY OF THE PROHIBITORY AND EXPURGATORY INDEXES, TOGETHER WITH SOME CONSIDERATION OF THE EFFECTS OF PROTESTANT CENSORSHIP AND OF CENSORSHIP BY THE STATE

BY

GEORGE HAVEN PUTNAM, LITT.D.

* * *

Author of

"AUTHORS AND THEIR PUBLIC IN ANCIENT TIMES," "BOOKS AND THEIR MAKERS IN THE MIDDLE AGES," "THE QUESTION OF COPYRIGHT," "AUTHORS AND PUBLISHERS," ETC.

IN TWO VOLUMES

VOLUME I

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MY DAUGHTER ETHEL

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PREFACE

IN these volumes, I have undertaken to present a record of the Indexes which have been issued under the authority of the Church of Rome, or which, having been compiled by ecclesiastics, were published under the authority of the State, between the year 1546 (the date of the first list of prohibited books which may properly be described as an Index) and 1900, in which year was issued the second Index of Leo XIII, the latest in the papal series.

To this record I have added a selection of the more noteworthy examples of censorship during the earlier centuries of the Church (a list which begins with a curious prohibition in 15c, probably the earliest instance of censorship by a Church council); a schedule of the more important of the decrees, edicts, pastoral briefs, etc., issued under ecclesiastical authority, which had to do with the matter of censorship; and a specification of certain censorship regulations which, before the publication of the first Index, came into force in the several States of Europe. Such a schedule of decrees and regulations can, of course, lay no claim to completeness. I have attempted simply to present examples of prohibitions and condemnations, from decade to decade, which were typical or characteristic, and from which some impression could be gathered as to the nature and the extent of the censorship experiments throughout the centuries in the several communities concerned.

A brief account has been added of the organisation and of the operations of the Roman Inquisition and of the Congregation of the Index, as it was from these bodies that emanated the series of papal Indexes, and with them rested, from the middle of the sixteenth century, the responsibility for the shaping of the general policy of the Church in regard to censorship. The plan of the treatise does not render it practicable to attempt any general survey of political censorship or the censorship of the State, but I have presented a brief selection of examples of State action in censorship, in order to make the necessary comparison between the methods followed by the State and those of the Church, and to make clear that the censorship of the Roman Church was (at least outside of Spain) not so autocratic in its principles, nor so exacting and burdensome in its methods, as was the censorship which was from time to time attempted by State governments acting for the most part under Protestant influence.

I have attempted to base upon these schedules and records some conclusions as to the actual influence of the general system of censorship, as connected more particularly with the enforcement of the penalties prescribed by the Indexes, upon the production and distribution of literature in the several communities which recognised to a greater or less extent the authority of the Church. An interesting indication of the extent of this influence is given through the records of the business of the printer-publishers and booksellers of the period, in such States as Italy, Spain, France, Germany, the Netherlands, and England.

Finally, I have attempted, in the closing chapters, to make a study of the literary policy of the modern Church as indicated in the latest of the papal Indexes

and in certain utterances by representative Catholics concerning the censorship policy of the Church, which have come into print during the past quarter of a century.

In collecting the material for the several schedules of Indexes, decrees, etc., I am chiefly indebted to the treatise of Heinrich Reusch, *Der Index der Verbotenen Bücher*, published in Bonn in 1885. Dr. Reusch's work may be described as monumental in the thoroughness and authoritativeness of its scholarship. The information presented in regard to the series of Indexes and decrees is most comprehensive and precise. The compass of Reusch's three volumes (which comprise twenty-four hundred closely printed octavo pages) renders them, however, unavailable for the use of the general reader. I have knowledge of no work in English which presents, with any measure of completeness, the record of the Indexes, and of no book in any language which attempts a general survey of the purpose and results of the censorship of the Church. It has seemed to me, therefore, that I might render some service to the study of the conditions affecting literary production and distribution, by utilising certain portions of the material collected by Reusch in a work prepared for English-speaking readers, which should present the schedule of the Indexes and a summary of the more noteworthy of the decrees, edicts, briefs, etc., having to do with censorship, and by connecting with this a study of the results secured through this censorship policy of the Church and of the range of its influence.

I have been able to include in the catalogue of Indexes certain titles which were not listed by Reusch, and I have added the record of the Indexes which

have been published since the date of Reusch's treatise. I have not been dependent upon Reusch's schedules for the contents of the Indexes themselves, as I have been able to make a personal examination of all of the more important Indexes in the series from examples in my own library, and in the comprehensive collection of my valued friend Mr. Archer M. Huntington. Mr. Huntington has, I may mention, rendered a most important service to students of the Index through his reprints, produced in facsimile, of five of the earlier issues as follows: Louvain, 1546; Louvain, 1550; Cordova, 1550; Cordova, 1554; Valladolid, 1559.

Certain Indexes have been selected from the long series as on one ground or another entitled to special attention. For these I have given, in addition to some analysis of the prefatory matter, the accompanying Bull and the regulations, and a specification of the more important of the literature which is represented in the lists of the books condemned. Among the Indexes that call for such fuller description and analysis are the following: Louvain, 1546, (usually classed as the first in the series of the Church Indexes); Rome, 1559, (the first in the series of papal Indexes); Trent, 1564, (the papal Index which secured the widest and most continued influence); Rome, 1607, (the only expurgatory Index in the papal series); Rome, 1664, (in which is presented the condemnation of Galileo); Rome, 1758, (the Index which marked the beginning of the wider literary policy for the Church); Rome, 1900, (the latest of the papal Indexes and the one which must, therefore, be taken as expressing the present literary policy of Rome). I have also given, with some detail, analyses of certain of the Spanish expurgatory Indexes, as these

present a class of censorship quite distinct in character and not attempted outside of Spain.

Separate chapters are devoted to the treatment throughout the series of Indexes of certain subjects of continued importance, such as the relations between the Church and State, the consideration given to Erasmus and to Luther, the treatment of the monastic orders, etc.

In Chapter IX of the second volume, is presented a study of the influence of the Index upon the book-trade in the several States of Europe. While there are in existence no trustworthy statistics for such a record, certain general results can be determined from the history of the printer-publishers and from the transfer of the centres of book production and distribution from the States which were under the direct control of the Index regulations to territories in which the action of censorship was less effective, or, as in Holland, non-existent.

The titles of the works utilised or cited as authorities from which quotations have been made will be found in the bibliography. I have thought it desirable, for the convenience of later students of the subject, to include also in this bibliography the titles of certain other important works having to do with the subject of censorship, from which I did not have occasion or opportunity to make citations.

I desire to express special acknowledgment to Dr. Mendham, whose *Literary Policy of the Church of Rome* was published in London in 1834. The author made a thorough study of such of the Roman and Spanish Indexes as were within his reach, and he has been able to throw no little light upon the methods adopted in Church censorship. His vivacious treatise,

which may be said fairly to bristle with controversial opinions and conclusions, constitutes a curious antithesis to the volumes of Reusch, who hardly permits himself to connect with his comprehensive catalogues and records any opinions whatsoever.

For matters connected with the Inquisition, the authorities are the well-known *Histoire de l'Inquisition* of Llorente, and the monumental *History of the Inquisition of the Middle Ages* by Henry C. Lea. The first volume of Lea's *History of the Inquisition in Spain* comes into publication just as my own work is completed. For the history of the operations of the Church in Spain, operations which were largely conducted under the authority of the Spanish Inquisition, I have, however, been able to utilise Lea's *Religious History of Spain*, which for this division of the subject-matter is the book most frequently cited. (In the Spanish chapters, in order to avoid the repetition of the full title, the reference has been made simply to "Lea," and is to be understood as connected with the above volume.)

For matters connected with the book-trade and with the influence on the work of the publishers of the regulations of the Index, the chief citations are from Kapp's *Geschichte des Deutschen Buchhandels* and from Putnam's *Books and their Makers in the Middle Ages*.

The leading authority for the modern Catholic view of the literary policy of the Church is the treatise on the Index by the Jesuit Father Hilgers, which was published in Freiburg as recently as 1905, and which is certainly a most forcible and effective example of controversial writing.

A little volume by the Paulist Father Searle entitled

Plain Facts for Fair Minds, published in New York in 1895, is valuable for its statement of the present policy of the Church in regard to the relation of faith with science and as to the rightful influence of the authority of the Church upon intellectual action.

A treatise by Charles Dejob, a French Catholic, which came into print in Paris in 1885, has been found interesting for its effective presentation of the Gallican point of view, both of the present date and of the earlier centuries, in regard to controversial matters.

I have occasion to render a cordial personal acknowledgment to the well-known scholar the Rev. Thomas J. Shahan, of the Catholic University of America, for most friendly service and valuable suggestions. I owe thanks also for friendly counsel received from the Rev. A. A. Lambert, of the Paulist Fathers.

With the expectation that these volumes will be used chiefly for purposes of reference, it has seemed desirable to arrange the material according to the cyclopaedia method, under certain main headings with sub-headings for the special divisions of each subject. Such an arrangement involves, of necessity, some repetition, but it is hoped that the convenience of securing for the presentation of each subject division a larger measure of completeness, may outweigh the annoyance, from the literary point of view, of an occasional reiteration.

G. H. P.

New York, October, 1906.

ERRATA.

Page.	*Line.*				
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XXI.	24.	"	erudita,	"	eruditae
161.	28.	"	Ferdinand,	"	Ferdinandi
166.	23.	"	Diologis,	"	Dialogis
180.	3.	"	Tridentinae,	"	Tridentina
201.	32.	"	Expurgatur,	"	Expurgatae
201.	33.	"	Prodierunt,	"	Prodierint
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241.	15.	"	Venito,	"	Veneto
242.	2.	"	Aliquot,	"	Aliquod
242.	2.	"	Placatum,	"	Peccatum
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292.	6.	"	Fidelitas,	"	Fidelitatis
292.	7.	*After* nunc, *a comma.*			
292.	8.	*For*	Principo,	*read*	Principe
294.	2.	"	Veribus,	"	Viribus
299.	20.	"	Indici,	"	Indice
308.	22.	"	Siu,	"	Sui
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336.	4.	"	Haes,	"	Haec
345.	19.	"	quorumdam	"	quorundam
352.	5 and 12.	"	Bailliet,	"	Baillet
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LIBRARY
OF
McCORMICK
THEOL. SEM.

CENSORSHIP

CHAPTER I

INTRODUCTORY: THE INDEX AND CENSORSHIP

IN any investigation of the development of literary production and of the relations of the producers of books with the reading public, it is necessary to give consideration to the influence exerted upon literary activities, and upon the actual effectiveness of literature, by the censorship and the restrictive measures instituted by the Church.

Church censorship may be said to have begun as early as 150, with an edict issued by the Council of Ephesus, in which the *Acta Pauli* (an unauthenticated history of the life of St. Paul) was condemned and prohibited. During the centuries following, a number of similiar edicts or mandates were published by councils, by individual ecclesiastics, and by civil officials acting at the instance of the authorities of the Church, under which edicts the faithful were cautioned against the pernicious influence of various works classed as heretical, and the heretics who had been concerned in the production and circulation of such writings were threatened with penalties ranging from

confiscation of property to imprisonment, excommunication, and death. A schedule of these decrees and edicts will be found in a later chapter.

The revolution in the methods of the production and distribution of literature brought about by the invention of printing in the middle of the 15th century, had, as an immediate result, an enormous increase in the influence upon the shaping of popular opinion of the written, or rather of the printed word, that is, of thought in the form of literature. The work of the printers was at first welcomed by the rulers of the Church. They convinced themselves that the Lord had placed at their disposal a valuable instrument for the spread of sound doctrine and for the enlightenment of believers, and with this conviction, they found funds for the support of a number of the early printers and kept their presses employed in the production of works of approved theological instruction.

It was in fact not until nearly three fourths of a century after Gutenberg, when the leaders of the Reformation were utilising the printing-presses of Wittenberg for the spread of the Protestant heresies, that the ecclesiastics became aroused to the perils that the new art was bringing upon the true faith and upon the authority of the Church. If the people were to be protected against the insidious influence of the new heresies, it was absolutely essential that some system should be instituted under which the productions of the printing-press could be supervised and controlled. The more active and far-reaching the operations of the printers, the greater the necessity for the watchful supervision of their work, and the greater at the same time the difficulty in making such supervision complete and effective. The requirement was met by the

institution of a system planned to permit no books to reach the public that had not been passed upon and approved by ecclesiastical examiners appointed for the purpose. To this end, the production and the circulation of any literature not so approved were stamped as constituting a misdemeanour of the most serious character, one that might, under certain circumstances, become the final sin against the light, the offence against the Holy Ghost.

The German historian Pütter says[1]:

"As a result of the great facility brought about in the production of books by the invention of printing, there came to be anxiety on the part of the authorities lest teachings destructive of religion or morality, or inimical to the interests of the State, should be given to the public. On this ground, the conclusion was in all countries promptly arrived at that no production should be permitted to come into print that had not been passed upon and approved by an officially instituted censorship, and that no printing-offices should be established excepting under proper license and effective supervision."

In 1559, the responsibility for the censorship of literature was first assumed directly by the papal authority through the publication of the *Index Auctorum et Librorum Prohibitorum*, of Paul IV, the first of a long series of papal Indexes, aggregating, up to 1899, forty-two in all. It does not appear to have been the intention either of Pope Paul IV or of his successors that the responsibility for the system of censorship should be retained under the exclusive direction of the papal authorities, and I find no record of objections having been raised to the publication of the Indexes

[1] *Büchernachdruck*, 14.

prepared by such representatives of the Church as the theological faculties of the Universities of Louvain and of Paris, or by the Inquisition of Spain. There were, however, very material differences between the lists as shaped in Rome of works condemned as heretical and the similar lists issued within the same period in Louvain, Paris, or Valladolid; books of undoubted heresy included in one Index would fail to find place in another, and it is difficult to arrive at any consistently followed principle or policy by which the selections of the different compilers were determined.

In the absence of any definite instruction to the contrary, it might at first be assumed from the wording of the prohibitions that any and all of the Indexes, published under the direction of such ecclesiastical authorities as those specified, must have been intended to be equally binding on all the faithful, irrespective of political or ecclesiastical boundaries. We know, however, as a matter of history, that, in the majority of cases, no attempt was made to enforce the prohibitions of the Index outside of the territory of the State in which it had been promulgated.

It is difficult to secure any trustworthy information as to the precise range of the effectiveness of these prohibitions, but it seems probable that the Roman Indexes were held to be in force outside of the immediate territory of the Church only after they had been formally accepted and promulgated by the authorities, ecclesiastical and political, of the individual States, such as Spain, France, the Empire, etc.

The Index of 1559 was, as stated, the first of the series of papal Indexes; but as early as 1542, the Inquisition of Rome had promulgated a special edict prescribing penalties for the reading of heretical or of

doubtful books, and in 1545 was published the first Italian list of prohibited books and authors. In 1571, under Pope Pius V, the task of compiling the papal Indexes was confided to a body organised under the name of the Congregation of the Index, which is still (1906) carrying on its work.

The work of the framers of these Roman Indexes exercised an important influence even in the States in which the papal prohibitions had not been officially published, as the titles collected for them were largely utilised by the makers of the Indexes of Spain, France, and Belgium; and in like manner, the material put into print in Louvain, Paris, and Valladolid formed the basis of certain of the Roman lists.

A more authoritative position in regard to the work of censorship was taken by the Papacy through the publication, in 1564, of the Tridentine Index. This Index, as well through its formulation of the rules for censorship, as because of the greater comprehensiveness of its lists, constituted the most authoritative guide that had yet been issued. The Tridentine Index was promulgated, under the authority of pope and of council, throughout all the Catholic States and also in countries in which the Catholic Church, while no longer the ruling power, still possessed followers. It was printed in a long series of editions issued from all the more important publishing centres of Europe; its lists formed the basis of all subsequent Indexes, while its rules were accepted as the guide for future censors and compilers. After the Council of Trent, a wider and more assured recognition was given by churchmen throughout the Catholic world (from which must, curiously enough, be excepted Catholic Spain) to the authority of the Papacy, acting through the Congre-

gation of the Index, to retain the general direction and control of the business of censorship.

In 1758, two centuries after the publication of the Tridentine Index, was issued the Index of Benedict XIV, the lists in which represented better bibliographical work than had previously been attempted, and which was particularly important as representing what may be called the last attempt of the Papacy to maintain any general censorship of the world's literature. The series of papal Indexes from time to time has been continued, the latest bearing date 1899; but the compilers of these later Indexes content themselves with repeating the general rules or principles by which the reading of the faithful should be guided, while the lists of current publications are limited almost exclusively to works by Catholic writers, and chiefly to works of a doctrinal character, the teachings of which are found to be in one respect or another open to condemnation. The proportion of books absolutely prohibited becomes smaller, the greater number of the works cited being placed in the lists of *libros expurgandos*, the reading of which is forbidden only until certain corrections or eliminations have been made, *donec corrigatur*. The Index of 1884 and that of 1899 bring forward from the more important of the preceding papal Indexes the titles of the most noteworthy of the works condemned in these. No attempt, however, is made to condemn (except under general rules and principles) the increasing lists of modern Protestant doctrinal books, or to characterise or differentiate the great mass of the world's literature. The printing-press had outgrown the machinery of ecclesiastical censorship.

During the centuries in which the censorship of the Church was active and comprehensive, it must have

exerted a very material influence over the relations of authors with their public; the effectiveness of literature as an intellectual force in directing or shaping public opinion was assuredly not a little hampered and restricted, while the value of literary productions as property was seriously lessened and, in certain territories, entirely destroyed. It is evident that if the production, the sale, and the possession of copies of a book are prohibited, the work can possess no property value within the territory throughout which such prohibition can be enforced. Its possibilities as property are either cancelled altogether, in case the prohibition can be made effective throughout the entire possible market, or are lessened in the proportion in which such market has been curtailed. In fact, in the cases in which, under the more extreme penalties of a censorship system, the purchase or the possession of a copy of a condemned work involved fine, imprisonment, or excommunication, the work might be said to possess a negative in place of a positive commercial value. The author, and others interested with the author, in securing a circulation for the book, might even be imagined as offering, if not a bonus, something in the nature of a guaranty against risks, to those who would co-operate with them in the dangerous task of distributing copies.

The other obstacles that have been noted as standing in the way of the development of literary property had been negative in their character. The lack of realisation on the part of the literary worker himself that he was producing anything entitled to be classed as property; the difficulty on the part of the reading public in arriving at the conception that there could be property in anything not material, in such an abstract entity as a right; the physical impossibility, in

advance of the invention of printing, of the multiplication of copies of a literary production by any method that should preserve for the author any control over the text of each copy, or any share in the selling price of the same; the limitations of the territory within which, after the era of printed books had begun, and after the development of public opinion had brought a community to the point of recognising the property rights of one of its own literary workers, such recognition could be made effective; the fragmentary character and necessary inadequacy of the system of local privileges; and finally the lack, during a long series of years after the invention of printing, of any adequate publishing machinery for making known to possible buyers the existence of books, for distributing the copies, and for collecting the amounts paid by the purchasers; —all these obstacles operated against the possibility of securing for producers of literature such protection under the law and such recognition for the results of their labours as had, in all organised communities, been for centuries assured for other classes of producers.

Against such obstacles and difficulties, the recognition of literary productions as property and the actual commercial value of the labour of literary workers had, through the first century of printing been making an assured, though fitful and interrupted, progress. Early in the 16th century, however, the rulers of the State and the authorities of the Church began to find occasion for alarm at the increasing range of influence of the printed word, and came to the conclusion that if the community was not to be undermined by heretical, dangerous, and demoralising opinions, measures must be taken to maintain supervision and control over the production of books.

The interference on the part of the political rulers was fitful and intermittent, and appears at no time to have arrived at the dignity of a continued policy or system. In a number of States, while the rulers continued to claim for themselves the exclusive control of the printing-press (as was, for instance, the case with Spain, France, and the Holy Roman Empire), they were willing to confide to the ecclesiastics the selection of the books to be condemned and prohibited. The actual work of censorship, at least in the countries which remained Catholic, fell, therefore, more and more into the hands of the Church, and was, as a result, carried on with reference to the clerical standard of orthodoxy and morality, and to the clerical theories of what was required for the welfare of the community.

In the series of the Indexes, the proportion of works of a purely political character was small as compared with the long lists of books which had been condemned on doctrinal grounds. It is in order, however, to bear in mind, as a limitation of this statement, that during the two centuries in which censorship was the most active and exerted the largest influence upon intellectual development, say from 1550 to 1750, the minds of men were directed more largely to doctrinal questions than to political matters. It was not the State but the Church whose authority and existence had been assailed and the contest was fought out over creeds and not political platforms.

When, with the outbreak of the Reformation movement, it became apparent how great a range of influence was possessed by the printed sheet, the problem which confronted the authorities of the Church was certainly serious in more ways than one. For the space of fifteen centuries, the education of the people had remained

almost exclusively under the direction of the Church. The faithful believers (and the unbelievers were but few) had accepted their entire intellectual sustenance at the hands of the priests. The instruction given in the parish schools instituted by the Church was almost entirely oral, although some use was made of written alphabet tables and of written psalters with the musical notations.

The instruction for those who took up higher branches of study, students who were for the greater part destined for the Church, was naturally, during the manuscript period, carried on by the priests, not only because but few others possessed anything that could be called scholarship, but also because it was only in the collections of the monasteries (the *armaria*) that the requisite manuscripts could be found. It is true that with the beginning of the 13th century, the educational work of the earlier universities, such as Bologna, Paris, and Oxford, begins to assume importance; but even in the universities, outside of the faculties of law and of medicine, the direction of the instruction was retained very largely in the hands of the Church, the lecturers in the department of philosophy, for instance, being almost exclusively ecclesiastics.

During the 13th century, there does come into existence a body of scholarship which is outside of the Church, but it remains the case that, up to the time of Luther, the great mass of the people had looked to Rome, and to teachers acting under the authority of Rome, for its light and leading, intellectual as well as religious. The association of education and intellectual training with the Church is in fact fairly indicated by the use of the term "cleric."

In 1516, the leaders of the Reformation, in beginning

their long contest against the abuses of the Church of Rome, a contest which soon developed into a fight for the complete overthrow of the papal supremacy, promptly availed themselves of the power of the printing-press. While the words spoken in the pulpit or in the market-place could reach at best but a few hundred of hearers the tracts poured forth from the Wittenberg presses, the "flying-leaves" (*Flüg-schriften*), carried the teachings of Luther and Melanchthon to many thousands, and it was through the influence of these "winged words" (*epea pteroenta*) that the revolt developed into a revolution.

To the devout adherents of the Church of Rome, and particularly to those to whom had been given the responsibility for its government and for the spiritual guidance of its members, the situation, not only during these earlier years of fierce strife against Protestant heresies, but throughout the succeeding centuries, presented the gravest difficulties. There is something almost pathetic in the long series of attempts made by popes, councils, bishops, congregations, and inquisitors to protect the souls of the faithful against the baneful influence of the ever-increasing tide of literature that was pouring forth from the various publishing centres, and so much of which was calculated to lead men astray from the true doctrines and to bring them into risk of everlasting perdition. To ecclesiastical rulers, honestly holding such a conviction, there was, of course, but one duty. They must use every means in their power to suppress the heresies, and to warn and protect their flocks. What were the fortunes or even the lives of a few evil-minded or devil-inspired printers and writers as compared with the eternal hopes of the great masses of men? Nay! It was better that the misguided

reader himself should, by prompt and, if necessary, extreme penalties, lose all that he had in this world, rather than that he should be permitted, in continuing to absorb heresy and in spreading its leprosy abroad, not only to sacrifice his own soul, but also to undermine the faith of his fellow-men.

The action of the Church was, therefore, not only logical and reasonable; it was the only course that was possible for an organisation to which, as its rulers undoubtedly believed, the Almighty had confided the care of the spiritual welfare of mankind. The safety of the soul depended upon the nature of the intellectual sustenance taken in, whether through the ears or through the eyes. All literature or instruction in any form, spoken, written, or printed, must, therefore, before reaching the understanding, be sifted under the authority of an all-wise and infallible Church. The believer must be protected against harm, the doubter must be recalled to the true path, and the heresies and the heretics must alike be exterminated. While it was only after the active propaganda work of the Reformers of Wittenberg had made clear the perils of the printing-press that any general system of censorship was attempted, there had been, as pointed out, instances of prohibited books centuries before the time of Gutenberg. An heretical utterance in manuscript form was a restricted or manageable evil, in that its influence was limited to the small circle of clerics and could not, at least directly, reach the masses. It was, however, none the less an evil which it was the duty of the Church to condemn and to repress.

The record of the Index is also to be considered as an important contribution to the history of literature. Thomas James, whose treatise on the *Index Generalis*

Librorum Prohibitorum was printed at Oxford in 1627, says in his preface that his book is addressed particularly to the curators of the Bodleian Library to whom it should serve as a guide concerning the works which it was particularly desirable to collect and to preserve; only the curators must be sure to secure the earlier and, therefore, unexpurgated editions. Bishop Barlow writes that he has found the

"*Indices Expurgatorii* invaluable as records of the literature of the doctrines and opinions obnoxious to Rome. . . . Their *Indices Expurgatorii* are very good common-place books and repertories (for that use we make of them) by help of which we may presently find what any author by them censured has uttered against the vulnerable parts of the Catholic system. In these *Indices* we are directed to the book, chapter, and line where anything is spoken against any superstition or error of Rome; so that he who has the *Indices* cannot want testimonies against Rome." [1]

Reusch points out that the Indexes have preserved the record and the purport of not a few works of interest and importance, the very existence of which would otherwise have been lost sight of. It is also the case that the Index lists have preserved the titles of a number of works of comparatively trivial importance, which, if they had not been fortunate enough to secure the condemnation of the Church, would have fallen stillborn from the press.

It was the practice, in making condemnation of books either through a general Index or under a separate decree, to order destroyed such copies of the condemned books as could be collected, and this destruction was, as a rule, done by fire. In the record of censorship, there are, however, a number of instances of books

[1] *Remains of Bishop Barlow*, London, 1693, 70–71.

which had received the honour of a special condemnation for burning, the titles of which had not appeared in any Index issued by the Church or in any separate papal or diocesan decree. The books so recorded were, with hardly an exception, condemned under civil authority. The writers who have brought together records of books condemned to be burned (of whom Peignot is perhaps the most important) give, under the same general heading, titles of books selected from the Index, books condemned under special decrees of the Church, and works which had fallen under the censorship of the civil authorities. As will be noticed in the later chapters, the special emphasis given to the importance of a book through the burning of copies in a public place, constituted a valuable advertisement and usually extended its influence.

The history of the Index may be divided into two main periods. The first begins, as far as the papal censorship is concerned, in 1559, with the publication of the *Index Auctorum et Librorum*, prepared under the instructions of Paul IV, and closes with the end of the 16th century, with the issue of the final appendices to the Index of the Council of Trent. During this period, the chief and almost the only subject-matters considered are the great questions raised by the Reformation. In the second period, which closes with the Index of Benedict XIV, issued in 1758, the controversies turn, as indicated by the character of the works placed on the lists, on issues of doctrine, opinion, and conduct arising within the Church itself. The writers whose works are condemned during this period are for the most part ecclesiastics of the Church.

The work done during the 19th century by the Congregation of the Index may be said to belong to a

third or modern period, in which, as will be noted later, the censorship over literature and the literary instruction for the faithful has for the most part taken the form of statements of general principles in place of detailed lists of pernicious books. The attempt to characterise the mass of the world's literature has been abandoned and the comparatively few titles named are (with a few curious exceptions) those of doctrinal works emanating from within the Church itself and the errors in which are, therefore, likely to mislead believers.

It is to be borne in mind further in connection with the general division of periods suggested by Reusch, that while the greater portion of the work of the Index was carried on under the direct supervision of the popes, a long series of Indexes were issued by authorities acting independently of the Papacy, such as the Inquisition of Spain, the theological faculty of the University of Paris, the theological faculty of the University of Louvain, and other bodies.

The first Index, in point of date, of the long series, was in fact issued not in Rome but in Paris, the second and third in Louvain, the fourth in Valladolid, etc. The several dates will be given in the schedules presented later. It is also noteworthy that, while the papal Indexes were of course in form binding on the entire Church and throughout all the States classed as Catholic, they were not actually put into force in the several States unless or until they had been accepted and confirmed by the respective rulers; and, as a fact, a number of the papal Indexes were never so accepted either in France or in Spain. The Church of Spain, acting through the Inquisition, undertook to carry on an independent system of literary censorship and of

literary repression. The inquisitors condemned a number of works which do not appear in the Roman lists, and declined to condemn not a few books which had in Rome been classed as pernicious. A similar course was taken by the Gallican Church, whose censorship was carried on by commissions of ecclesiastics acting under the direct authority of the Crown.

A necessary result of the condemnation of books by a number of authorities was a large measure of confusion in regard to the status of a number of books and of not a few authors. A faithful believer, who was fully prepared to accept in regard to literature the guidance of the authorities, may well have had cause for perplexity in finding condemned and prohibited by one pope the works of an author whose writings had received the special commendation of another, or in being prohibited in Madrid from reading books which were permitted or even recommended in Rome. In not a few instances, Indexes which had been issued in regular course with the papal sanction were themselves prohibited from being printed or promulgated in Spain, in France, in Germany, or even in places as near to the papal seat as Venice.

During the period before the Council of Trent, the work of the compilers of the Roman Indexes was chiefly based upon the Indexes which had originated in Spain or in the Netherlands, while there is, as said, occasionally ground for perplexity at the absence from the Roman lists of works of undoubted heresy which had been duly condemned by the censors of Valladolid or Louvain. It is not easy to understand why the Papacy, having recognised the necessity for the exercise of control over literary production, and over the operations of the printing-press, should have permitted the

system of Indexes to be initiated anywhere but in Rome, and should have further permitted, apparently without reprimand or protest, so large a proportion of the long series of Indexes to be compiled and published by ecclesiastics who, while claiming to be defending the true faith and to be carrying out the policy of the Church, were not acting under the direct supervision or authority of Rome. Independent action in such an all-important matter as the direction of public opinion as expressed through printed literature might have been considered a dangerous precedent and undoubtedly did constitute an important factor in strengthening the separate authority of the State churches of Spain and of France.

Joseph Mendham finds in the Indexes the literary policy and the doctrinal policy of the Church of Rome. He writes:

"The Indexes issued by the Church of Rome may be regarded as a grand Index of the sentiment, spirit, and policy of an ecclesiastical empire, claiming with the most critical exactness the terrific appellation of the Mystery of Iniquity.

"To no power but modern Rome is equally applicable the encomium of the poet on the ancient:

> *Tu regere imperio populos, Romane, memento;*
> *Hae tibi erunt artes; passisque imponere morem:*
> *Parcere subjectis et debellare superbos.*
>
> Aen. VI, 852.

"The other class of Indexes, the expurgatory, contains a particular examination of the works specified and indicates the passages condemned to be expunged or altered. For these Expurgatory Indexes, publicity was so little desired

that it was the chief thing guarded against. . . . The copies were intended for the possession and inspection only of those to whom they were necessary for the execution of their provisions. . . . It was not thought desirable that the dishonest dealings of the writers of these censures should be known either to the authors who were injured and who would thus have an opportunity of justifying themselves, or to readers whose judgment must in many instances be at variance with that of the censors." [1]

The framers of the several expurgatory Indexes found themselves occasionally under the necessity of censuring and correcting the works of writers accepted as the Fathers of the Church. Mendham gives an example, from the Roman Index of Brasichelli, of a condemnation of certain propositions printed by Robert Estienne, which propositions are, he says, direct citations from the Fathers. Mornay, in his edition of the Spanish Index of 1601, presents a list of similar condemnations or expurgations of the texts of the writings of the Fathers themselves. The propositions which, naturally enough, came under this condemnation are those which appear to present grounds for the doctrine of justification by faith and those which enforce the importance of the injunction against the worship of images. The Jesuit Gretser, in apologising for the action of the Church in the case of Bertram's book, makes the following interesting argument:

"Although Bertram be prohibited, I deny that a Father is prohibited, for that one can properly be called a Father of the Church who feeds and nourishes to the faithful salutary doctrine, who being placed over the family of the Lord, gives it in due season its portion of the corn. If, therefore, instead of the food of salutary doctrine and the

[1] Mendham, 4.

portion of corn, he offered and distributed cockles and tares and the burrs and briars of perverse doctrines, so far from being a Father he is but a stepfather, not a doctor but a seductor." [1]

In another page, Gretser writes: "Who, therefore, is so stupid as not to recognise that the Church or the sovereign pontiff, while he reviews the lucubrations of his sons, and wherein he corrects these, performs a service grateful to the authors and a work useful to posterity." [2]

It is a natural inference from the assumption by the Church of the responsibility of indicating in the Index lists the books which are on one ground or another pernicious and which require important corrections, that the further responsibility is assumed of approving by implication the books not thus condemned or not corrected through expurgation. While it is the case that the Church has never admitted this responsibility, the contention is one which has often been raised and which does not appear to have been answered. If the books that are not condemned by the Index are considered as having been approved or even sanctioned by the Church, it would follow that the authority in the Church from which the Indexes emanate could be understood to approve and to sanction those doctrines or assertions from the writers within the fold of the Church which these condemning decrees have failed to proscribe or to expurgate. Such a contention does not appear, however, to be really well founded when we bear in mind the necessary limitations, even in the earlier years of the work of the Index, of the facilities

[1] *De Jure*, etc., 328. Cited by Mendham, 283.
[2] *Ibid.*, 320.

possessed by the examiners in passing upon publications originating in various countries and not always even printed in the common ecclesiastical language. The criticism presents, however, one of the most serious difficulties attending the assumption by the Church of this responsibility for the control of literary productions, even though this control be limited to the writings of members of the Church itself.

The Indexes were certainly utilised, and were intended to be utilised, as instruments for the suppression of heresy and for the maintenance of true doctrine as interpreted by the rulers of the Church. The chaplain of Philip II of Spain (Alphonso de Castro) has declared that in his opinion the purification of Spain from heretics was due to the fact that in Spain and in Spain alone the prohibition of heretical literature was effectively enforced. The continued prevalence of heresies in other countries, even in such Catholic States as France, Italy, and South Germany, was, in the opinion of Castro, due to the lack of effectiveness in enforcing the purification of literature.[1] It is the inference of Mendham that the effect referred to by Castro was due not to the simple prohibitions of the Index but to the enforcing of these prohibitions under the thoroughgoing methods of the Inquisition. Cardinal Pallavicino has assigned the preservation of Italy from the infection of presumed heresy to the activity of the Inquisition and particularly to the work done both by the Inquisition and the Index of the Congregation in suppressing heretical literature. He speaks as if there had been serious risk, in the absence of persistent efforts of this kind, that Italy itself might embrace the Reformation.[2]

[1] *De Justa Hæreticorum Punitione.* Venice, 1549. p. 228

[2] *Concil. di Trento*, v, 128.

Mendham, who writes always as a bitter controversialist, is of opinion that the expurgatory Indexes, and the expurgatory work done quietly without the use of Indexes, were utilised so as to modify in the later editions the text of the writings of the Fathers and of the earlier authorities of the Church, in the respects in which this text did not appear to give consistent support to the accepted doctrine of the later Church, or in which words were used by the authors which could be interpreted and which had been interpreted in support of heresies. It is not practicable, without a careful textual comparison of the "orthodox" and approved editions of the Fathers with the editions of earlier date and with those which the Church censors found occasion to condemn, to say how far there may be any foundation for this severe arraignment. Mendham goes on to suggest that it had been the hope of the Church gradually to replace the former and original editions of books of this class with the editions approved by the Church.

"In this way, the mouth of antiquity should be thoroughly shut up and prevented from uttering any syllable or sound against the doctrines of the later Church. . . . By the addition of words where opportunity and pretence might serve, and by drawing the marginal notes and glosses of their friars into the texts of the Fathers (as has already been handsomely begun with certain texts) the mouth of antiquity should also be opened for them (the present leaders of the Church). There remained then only the rectifying of St. Paul and of the other scriptural writers whose authority being already set beneath that of the Church, it were not such great matter to submit it also to her gentle and moderate censures; especially for so

good an intent as the weeding out of heresies and the preserving of the faith Catholic in her purity and glory."[1]

Panzer makes reference[2] to an Index printed in Louvain as early as 1510. The title is recorded as follows:

Die Cathlogen of inventargen van den Quaden verboden bouken: na advis der Universiteyt van Louen. Met een edict of Mandement der Keyserlicken Majesteyt. Te Louen geprint bej Sewaes van Sassen. MCCCCCX. 4°.

No copy of an Index of this date was known (1897) in the British Museum, and it is not referred to by Reusch. Knapp, in his scheme for a History of the Index, is in accord with Reusch in making that of Paris of 1544 the earliest. It seems probable that Panzer has been misled as to the date of the Flemish Index.

The series of Indexes is understood, therefore, to begin with the middle of the 16th century (that is, a century after the invention of printing), but from the earliest years of the organised Church, attempts had been made from time to time to protect the faithful against the pernicious influence of heretical writings, by the destruction of the copies and by the punishment of the writers when these were within reach of the strong arm of the Church and when they refused to be convinced of their errors.

A number of the editions of the Roman Indexes, as for instance that of 1819, bear as their motto: "Many of them also which used curious arts brought their books together, and burned them before all men" (Acts xix, 19); while on others was printed a head-piece engraved on copper, representing the believers burning their books of magic. The example, however, of these early converts, under the influence of the

[1] Mendham, 342. [2] *Annales Typographici*, vii, 258.

eloquence of Paul, bringing of their own free will, to be destroyed, books the teachings of which were believed to be incompatible with the doctrines of Christianity, does not constitute a fairly logical precedent for the later practice of the Church in punishing by excommunication and in other ways those who continued to read books condemned as heretical.

Throughout the Middle Ages, there are a number of examples of prohibitions, emanating from various authorities, and applying sometimes to single books or individual authors, and sometimes to groups. It is not likely that during the manuscript period, the duplication or reading of the books denounced was seriously affected, except in the immediate locality in which the prohibition was issued. These earlier attempts at censorship possess interest chiefly as indications of the ecclesiastical policy and of the varying standards of different periods and of different places, and also because the titles of the works selected for condemnation were in part utilised by the compilers of the Indexes.

A "Directory" of heresy was prepared early in the 16th century by Nicholas Eymeric of Cologne, under the title of *Directorium Inquisitorium*. This was reprinted in Venice in 1607, *cum commentariis Francisci Pegnae*. This Directory was, says Reusch, utilised by Bernard Lutzenburg as the basis for his *Catalogus Haereticorum*, —Catalogue of Heretics,—first issued in 1522. In these two lists have been preserved the names of a number of persons classed as heretics, of whose books there is no record, and who may possibly even never have written anything, or at least never have brought anything into print. The Lutzenburg Catalogue was utilised in the compilation of the Index of Paul IV.

After the middle of the 13th century, the papal condemnations of specific books frequently included the specification of names of the examiner or examiners, usually one or more of the cardinals. We have here the beginnings of the body that became later the Congregation of the Index.

In 1256, in a Bull issued by Alexander IV against a tractate of William of Saint-Amour, of Paris, the Pope says that his action is based upon the report of four cardinals, to whom had been confided the task of examining the work. All copies are ordered to be burnt within eight days, under penalty of excommunication. Saint-Amour's essay presents a very unfavourable picture of the condition of the Church of the times, and is especially sharp in its strictures upon the newly instituted mendicant orders. After the beginning of the series of official Indexes, the list of works concerning which the judgment of the Church was reversed under the authority of the different popes, or of successive councils, becomes considerable, and may easily have proved a perplexity to faithful believers who were prepared to accept as a final guide the infallible authority of the Church.

Before the close of the 12th century, there appear to have been no attempts on the part of the Church to restrict the reading of the Scriptures, or the distribution of the manuscript copies of the Scriptural books. During the 13th century, several of the synods held in France issued prohibitions of the use or circulation of versions in the vernacular of the Scriptural books, with the exception only of the Psalms. A similar prohibition was enacted for popular versions of any doctrinal or theological writings. The Church was gradually developing the procedure, finally formulated as a

general policy, under which laymen were to be forbidden reading either the Scriptures or works of doctrine except under the immediate direction of the ecclesiastical authorities.

Between the years 1239 and 1320, a series of orders were issued by successive popes, beginning with Gregory IX, for the destruction of copies of the *Talmud*.[1] In the first portion of the 16th century, a more tolerant view was taken by the papal authorities in regard to the preservation of the literature and the learning of the Hebrews; but Julius III and his immediate successors again ordered the destruction of the *Talmud*. The work is also included in the first of the official Indexes, that of Paul IV. In the Tridentine Index, the previous prohibitions are relaxed, but under Clement VIII the *Talmud* was once more condemned.

The whole business of the supervision of literature and the control of opinion was of necessity very materially modified by the invention of printing. It was at first assumed that the control of literature by the Church would be strengthened by the new method of book production. The ecclesiastical authorities decided that no books should be printed excepting under their own supervision, and if there had been any effective means of carrying out such a decision, the printing-press would speedily have become a mere means of expression of Church doctrine and Church policy.

The multiplying of the printing-presses and the development of machinery for the distribution of the copies of the printed books, together with the rapid increase in the public demand for such books, speedily, however, rendered impracticable the effort on the part

[1] L. Graetz, *Gesch. der Jüder*, viii, 112, 462.

of the Church to retain the control of book production.

The Louvain Index of 1546 was, as will be noticed in the later summary of the Indexes, followed by several Spanish Indexes which were for the most part compiled and issued under the direction of the Inquisition, and during the succeeding centuries, the general control of the censorship throughout the dominions of Spain remained in the hands of the Inquisition. There was, in such an arrangement, one manifest advantage; the authority that determined the offence was the same as that which put into force the penalties that had been prescribed. As a result of this identity between the power that judged and condemned, and the power that carried the condemnation into effect, the censorship was effective throughout Spanish dominions to an extent which was never reached under any censorship machinery that was put into force in other States. A book that was condemned in Spain did actually pass out of existence, as far, at least, as Spanish territory was concerned, and a similar fate occasionally befell the author. The copies that had been printed were destroyed, and the printing or circulation of further copies was too perilous an undertaking to be ventured upon.

If the Inquisition had been in a position to carry on throughout Europe, or even throughout the Catholic States, a censorship as effective as that put into force in Spain, the extermination of books would have been so considerable that there would have been brought about a serious break between the literatures of the centuries.

In France, the censorship was exercised in a more fitful and less consistent manner. The Indexes originating in France were for the most part compiled,

under the authority of the Crown, by the theologians of the Sorbonne. Books were, however, from time to time condemned under the direct supervision of the royal chancellor.

It is to be borne in mind also that a refusal on the part of the chancellor to issue a royal privilege for a book served to prevent its publication, at least in France (the edition must as a rule have been printed before the examination of copies by the royal censors could be made), and was, therefore, practically identical with a prohibition. The title of such an unprivileged and therefore unpublished work would as a rule not find its way into the lists of the French Index. The extent of the repression or restriction of literary activity can, therefore, not be fully measured by the number of titles on the lists of works prohibited.

It was unquestionably the case that the censorship had a very material influence in discouraging the production of literature, an influence that might be classed as an indirect damage to the intellectual development of the community. While the fact of such interference in a country like Spain in which the provisions of the censorship were, under the Inquisition, enforced with strictness and often with severity, is fully established, there can of course be no data for ascertaining the extent of the loss.

It is easy to understand that if an instructor in one of the Spanish universities got into trouble with the Inquisition in bringing into print a series of lectures, he would, in the majority of cases, have kept his later studies or conclusions in the safer form of manuscript. It is probable also that his associates on the faculty, or the students who had followed his work, would in great part be deterred from pressing their studies to

a logical conclusion. Not only would the books not be printed or even completed, but the lectures themselves, on subjects that had once been stamped by the Church as pernicious, would be stopped. The Inquisition was in a position to put an end to any courses of study or lines of investigation that it found reason to disapprove, and the record shows that it did not neglect the exercise of its authority to such end.

In like manner, if the business of a printer-publisher had been broken up or seriously hampered through penalties imposed for the crime of circulating literature found deserving of condemnation, it is very certain that such dealer, if continuing in business at all, would have reason to avoid taking in the future any such undesirable risks, and his competitors in the book-trade would wish to be equally conservative in the selection or acceptance of books for their own presses.

Apart even from the cases of books which had been condemned as heretical, and which had involved in their condemnation the authors, the printers, and the booksellers, the whole system of censorship constituted with its delays, its interference, and its fees or charges, a very heavy burden upon the business of printing and selling books. The details of the methods employed by the censors will be referred to in a later chapter. Their operations, were, of course, not confined to the supervision of books printed in Spain or prepared for the Spanish press. An elaborate system of inspection was instituted for books ordered by booksellers or by individuals from other countries. Large numbers of these foreign publications were destroyed in the customs-houses, while in other cases, as a milder judgment, the supplies were refused admission and had to be returned to the shippers. As a

result, the business of importing books could hardly be made profitable, and at times became dangerous. It is not surprising that, in the face of such difficulties and under the hampering influence of such burdens, the book-trade of Spain, during the three centuries following the date of the first Spanish Index, was attenuated and insignificant, and as compared with that of France, Germany, or the Low Countries, played but an inconsiderable part in the community. It is in fact difficult to understand how under these exceptional conditions, any printer-publishers or booksellers should have been able to maintain an existence.

In Italy, also, the publishers and booksellers worked during these centuries under similar difficulties, but there were mitigating circumstances. The Inquisition was able to retain in its hands only a partial control of the censorship, while outside of the papal States its authority was not infrequently set at naught. In fact, in Venice, for a large portion of this period (to use a phrase of a later century), the writs of the Inquisition "did not run," an exemption which was by no means the least of the several factors combining to make Venice a centre of book-production. The division of the Peninsula into a number of states or principalities was an important influence in maintaining for the printer-publishers some measure of independence, as the undertakings that were stopped or interfered with in one State could, with no insuperable difficulties, be carried across the nearest boundary and brought to completion in another. A further influence serving to secure protection for the printing-press, and to promote its activity, was the personal interest on the part of many of the Italian princes in intellectual pursuits and in literary production, an interest that

caused them to compete with each other for the possession of scholars and to offer special advantages to enterprising printer-publishers, and which made them frequently willing, for the sake of the literary prestige of their States, to brave the disfavour of the ecclesiastical authorities. In Italy, therefore, while the production and distribution of books was frequently interfered with by the operations of the Congregation or by the Inquisition, it is probable that (at least outside of the papal States) the actual detriment caused by the censorship to intellectual interests was by no means as great as, from the long list of mandates, prohibitions, and penalties, might at first be inferred.

In France, the conditions which opposed and those which favoured the freedom of the press differed in several respects from those which obtained in Spain or in Italy. We have here to deal with a central government whose authority over a fairly homogeneous territory was for the greater part of the periods under consideration not seriously questioned. The literary and publishing interests of the kingdom were centred in the capital, and in fact, with the single exception of Lyons, there were, outside of Paris, no publishing centres of importance. The literary policy of the Church, expressed through the theological faculty of the Sorbonne, could, therefore, conveniently be brought to bear very directly upon the operations of the Paris book-trade, the organised guild of which itself formed part of the university. Finally, the authority of the Crown, acting through the royal courts or directly through the chancellor, was, in form at least, available for putting into effect any measures for the supervision or restriction of literature with which the administration might find itself, in accord,

Notwithstanding, however, this apparent completeness of the supervising machinery, the book-trade of Paris was able to retain a very large measure of independence, and its contributions to the literary productions of Europe were, notwithstanding the censorship, of continued importance. Several influences worked in its favour. The divines of the Sorbonne and the leaders of the Gallic Church, while often actively opposed to scholarly undertakings, were by no means prepared simply to register and to execute the censorship decrees of the authorities of Rome. No Roman Indexes were accepted as binding upon believers in France unless or until they had been formally approved by the French Church and had been put into effect by the authorities of the State. With an occasional exception, such as that of the Index of the Council of Trent, the Gallican censors preferred to frame their own Indexes and to adapt these to the requirements and conditions of their own country.

The State was still less ready than the Church to accept as authoritative instructions emanating from Rome in regard to the character of the books that should be produced or should be permitted in France. Successive kings took the ground that the final authority in regard to censorship was vested in the State, that is to say in the Crown. The divines of the Sorbonne were instructed or permitted to pass upon the applications for privileges for books belonging to the department of theology, but even for these, their dicta were not always accepted and (as in the case of the Bibles of Estienne) were sometimes entirely set aside by the Crown.

And finally, the University of Paris, for centuries the most important in Europe, contended through a long

series of years that the supervision and control of the book-trade of the kingdom was a university matter, and it succeeded for a series of years, with occasional exceptions and set-backs, in maintaining this contention very largely until, with the gradual extension of the powers of the Crown, the direction of censorship and of privileges had been, with nearly all other divisions of government, brought directly under royal authority.

More than one scholar has been quoted as saying that the intellectual life and development of Europe during the centuries between 1556 and 1800 could be traced by the lists of condemned books, and that these books would in themselves constitute a fairly complete library for the thoughtful student. There might be ground for complaint that, owing to the remissness or ignorance of the censors, the lists included titles of a number of works not valuable enough to deserve condemnation, and omitted many of real value and continued importance. Irrespective of such inconsiderable exceptions in one direction or another, there can, I judge, be no question that a very large proportion, one may say by far the largest proportion, of the world's literature that stood for intellectual activity and insight, literature which expressed the conclusions of the greatest minds of their several generations, and which stood for the development and the civilisation of the community itself, had been placed by the Church in the Index of condemned and prohibited books. Comparatively few of these books of light and leading had been omitted (and those apparently through inadvertence) and comparatively few books had been included which, apart from any questions of heresy or pernicious doctrine, would, under a standard not

theological, be classed as dangerous or unwholesome for the community. In fact, the service of the Index in suppressing or in discouraging books *contra bonos mores* may be characterised as unimportant.

I have referred to the service to literature and to the intellectual development of mankind (a service none the less important because it was so entirely unintended) brought about through the action of the Church in preparing Indexes that served to chronicle the books of the thinkers and thus to preserve and extend their teachings. It is natural to enquire to what extent this service was offset by the interference with literary production and distribution caused by the burdens of censorship and by the repressive measures of the inquisitors and other censors. To such an enquiry there can be no very satisfactory answer. The materials or data for any precise calculation do not exist. In the chapter on the Index and the Book-trade, I have however presented such general data as I have been able to secure concerning the effect of the censorship regulations upon the operations in different States of the printer-publishers and the booksellers.

It is evident that the extent of the influence of the system is not to be measured by the number of books condemned after publication or after being put into type. It is probable that the restrictions and detriments placed in the way of literary production constituted a more important influence on the intellectual life and development of the people than the cancellation or expurgation of books that had already come into existence. These latter might be reprinted, and to a considerable extent were reprinted, in other countries, in which case their authors would be able to feel that their work had not been altogether without results.

But the influence of the writers who were deterred from writing, and of the lecturers who were afraid to continue to speak, was lost not only for their own community but for their own development, unless, as from time to time happened, they preferred banishment to repression and silence. Whether the leaders of thought were expatriated or were silenced, the effect in the home country on the university centres and on the so-called educated circles was the same.

At the very time when in Italy, France, Germany, and the Low Countries the intellectual activities were greater than ever before known, and minds working in new directions of research were expressing themselves in varied and suggestive literary productions, scholarship in Spain had been confined in a few fixed channels, its expression had become stilted and reiterative, and the literature of thought, imagination, and opinion had almost disappeared. It would be interesting to ascertain whether an intelligent Romanist of to-day, who believed conscientiously in the necessity, or at least in the wisdom, of ecclesiastical censorship, would be prepared to accept as satisfactory the results of such a system in the one country in which it had been carried on with any measure of consistency and thoroughness.

It must at the same time be borne in mind that this censorship was not imposed upon Spain by an authority from without. The power of Rome was never applied, either in regard to literature or to other matters controlled by the Church, with greater strenuousness or severity in Spain than in France or in Italy itself. In fact, whether from choice or from necessity, the direction of the affairs of the Church of Spain, and the regulation of the discipline of its members, were

left by the Papacy to be controlled by the Spanish ecclesiastics themselves. The Inquisition, as organised in Spain, was the creation of Spaniards and, with hardly an exception, the inquisitors who during the centuries in question carried on its work were Spanish in birth and in training. The policy of placing in the hands of the Inquisition the creation and the administration of a system of censorship of literature, and the responsibility for the preparation of the Indexes, is one for which the rulers of the kingdom, acting naturally under the influence of their spiritual advisers, must be held directly responsible. The ecclesiastics succeeded in convincing not one but successive Kings of Spain that for the safety and welfare of the community literature and education, higher as well as elementary, must be placed under the supervision of the Church.

A further responsibility, however, for this abandonment to ecclesiastical control of the intellectual life of the community must rest with the people themselves. If the literary productions of Spain were restricted and hampered to the point of crushing out altogether, if the men of active minds were banished or made dumb, if the business of the printer-publishers was brought to a close, and if the few enterprising readers who, notwithstanding the instructions of their confessors, might still venture to interest themselves in current literature, were obliged to depend for their supplies upon the chance of securing copies of the prohibited books smuggled in with bales of merchandise, it was because the people of Spain had decided for themselves that such methods were necessary for their spiritual safety. It may well be a matter of surprise that, under the conditions of censorship obtaining during the 16th

and 17th centuries, it should have been possible to bring into existence any such national literature as that which is described by Ticknor and other historians. With a censorship which, in form at least, differed very little in the several great Catholic States of Europe, the fact that the Spaniards were willing to accept and to give obedience to a series of regulations, of penalties, and of prohibitions such as it proved to be impossible to enforce in Italy, in France, or in Germany, is evidence of some special quality in the Spanish nature.

In Italy, the fulminations of the Church in regard to heretical or dangerous literature were, in form at least, as severe in their penalties and as sweeping in their prohibitions as those which emanated from the inquisitors in Spain. There appears, however, to have been no period during which there was any consistent consecutive system applied throughout the entire Italian peninsula in carrying out the regulations that had been formulated by the Inquisition of Rome or by the Congregation of the Index. The successive papal Indexes were produced at considerable and very varying intervals. There is no evidence in the series of these Indexes of any definite policy in regard to the terms of years to be covered or the extent or the classes of the literature which was to be considered. From time to time, as successive popes assumed the papal chair, there would come one possessing a larger measure of literary interests or a clearer perception of the influence of literature upon the religious conditions of the community. Instructions would then be given for the production of a new papal Index, the lists in which would include, in addition to the more important of the titles in the preceding Indexes, the works of the later period the use of which was to be forbidden.

As will be made clear in the detailed record of the papal Indexes, the attempt was made but once in Rome to produce an *Index Expurgatorius*. The popes and the members of the Congregation, who had the immediate responsibility for the work, appear to have shrunk from a task with which the Spanish inquisitors had charged themselves without hesitancy, namely the reshaping of books which had already come into circulation and influence, in such manner as to eliminate heretical passages or expressions which might in any way conflict with sound doctrine. The fact that through such eliminations and interpolations the purpose and character of the work might be materially altered and the author might be made responsible for utterances or opinions which were not his own, or the further fact that through any such reshaping the literary form, and sometimes even the actual sense of the narrative, was practically sacrificed, did not trouble the minds of the revisers selected by the Spanish inquisitors.

The effectiveness of the prohibitions and regulations instituted in Rome by the Congregation of the Index varied materially in the different Italian States. The printer-publishers of Rome were naturally obliged to give respect to the papal ordinances concerning literature, but even in Rome itself it was usually not difficult to secure through the booksellers, in Venetian, Florentine, or foreign editions, copies of prohibited books. It was in Venice that, as far at least as the territory of Italy was concerned, the smallest measure of attention was paid to the prohibitions of the Roman Index. The contest instituted, about 1580, by Paolo Sarpi against the authority of Rome to control the printing-presses of Venice, was not the beginning but really the

culmination of a long series of active protests on the part not only of the printers, but of the government of the republic itself. In fact, the conflict in which Sarpi took place as leader was brought about immediately by a renewal of attempts on the part of the Curia to secure for Rome the control of censorship in Venice.

In the Catholic States of South Germany, the record of the censorship of Rome is very similar to that which has been noted in the case of the Italian States. There were times in which very strenuous censorship regulations were issued, under the authority of either emperor or prince, in such cities as Vienna, Basel, Nuremberg, Frankfort, etc. The immediate result of such ordinances was to check the operations and to curtail the undertakings of the local printers, but the effect on the final circulation of the books condemned was but inconsiderable.

In France, the prohibitions of the papal Indexes and the censorship regulations instituted by the Roman Congregation of the Index were not accepted as binding unless and until they had been confirmed by the rulers of the Gallic Church, and there were but few instances in which the French bishops attempted to take action in regard to censorship excepting under instructions emanating from the Crown. There was, under the successive kings, not a little variety of policy in connection with censorship, and of method in carrying out the policy adopted. With certain monarchs the influence of the ecclesiastics was much stronger than with others, and during such reigns, the decisions concerning the acceptance of the Roman Indexes and the work of preparing the Indexes originating in France were left in the hands of the bishops. From reign to reign, however, the precedent became more firmly

established that the final authority in the matter rested with the Crown, and that even when the immediate direction of censorship was left with the bishops, their power to act came to them not from the pope, but from the king.

Any jealousy that may have existed with the ecclesiastics against interference on the part of the State with functions elsewhere held as belonging to the control of the Church, appears in France to have been more than offset by the determination of the Gallic Church to maintain its full independence against Rome. Censorship in France remained, therefore, a matter kept under the direct control of the Crown, to an extent which was paralleled in no country excepting England. The Kings of France, during the two centuries succeeding the invention of printing, were for the most part more keenly interested in furthering the operations of the printer-publishers, than in protecting the doctrines of the Church and the faith of believers against the risks of heretical literature. The undertakings of the printers had been made part of the work of the royal university, and the literary achievements of the Paris press brought prestige to the rulers of France.

Censorship was, of course, exercised, and in the case of theological works, the supervision of which was confided to the divines of the Sorbonne, the prohibitions and restrictions were not infrequently narrow and burdensome. It was the case, however, that the press of Paris was on the whole less seriously interfered with during the censorship period than that of any other Catholic State. It was further true, also, that while the prohibition of a book by the Sorbonne did from time to time block the sale of the Paris edition, bringing serious loss to the original publisher, it could

not prevent the distribution of copies even among French readers. A work that had proved of sufficient importance to be placed on a Paris Index was pretty sure to be promptly printed in Lyons or in Tours, and if or when the authority of the censors had succeeded in stopping the operations of the provincial printers, the presses of Geneva, Cologne, and Amsterdam were always ready to supply the demand that was quite certain to continue for a work classed as heretical or dangerous. The total circulation and final influence of the book was, therefore, likely to be furthered rather than restricted by the action of the censors.

In the Low Countries, and particularly in Holland, the operations of the censors and Index-makers of Italy, Spain, and France constituted a factor of not a little importance in furthering the development of the book-trade. The printer-publishers of Holland kept themselves promptly informed of the operations of the various authorities which had taken upon themselves the task of supervising the literature of the world. Early copies of all the original Indexes found their way, as soon as produced, to Leyden, Amsterdam, and Utrecht, and were promptly utilised by the enterprising Dutch publishers as guides for their publishing undertakings. Within a few months of the time when the censors of Rome or of Paris had completed, as they supposed, the cancellation of the local editions of the condemned books, copies of the Holland issues would begin to find their way, more or less surreptitiously, into the hands of the readers of the country of origin. Literature is, in this respect, like water; whatever the intervening obstacles, it is pretty sure to find its level, or, like air, to find its way under the pressure of the mass

of the intellectual atmosphere to the points where there exists an intellectual vacuum or need.

It is certain that at a time when, in the absence of journals, there were but limited means of information as to the existence or the character of literary productions, the Indexes proved to be most serviceable guides concerning books for which communities were waiting. The restrictions and prohibitions of the censorship system brought serious and sometimes crushing difficulties upon publishing undertakings in certain centres, but proved of invaluable service as suggestions for active-minded readers throughout Europe, and also for the undertakings of publishers in countries like Holland, who, free from restrictions at home, were very ready to utilise their presses for the profitable work of distributing abroad literature for which the Church, in advertising it as heretical, had taken pains to prepare the way and to provide a public. However great were the difficulties brought through the Church censorship upon the book-trade in other communities, it was certainly the case that for the printer-publishers and book-distributors of Holland it secured very direct and considerable advantages.

In England, even prior to the schism under Henry VIII, the Church of Rome never secured any control over the censorship of the press. The responsibility for the production of books had, with special reference to the convenience of supervision, been concentrated at an early date in the Stationers' Company. The supervision of the operations of this company was retained under the direct control of the Crown and was carried out by officials appointed under royal authority. These supervisors or censors were for the most part not ecclesiastics. Such censorship as took place in England

was in fact more largely political than ecclesiastical. The perils guarded against had to do with assaults upon the authority of the Crown rather than with opinions classed as heretical by the Church.

It was also the case that while the book-trade of the realm had, very conveniently for the censors, been centred in London and organised under the Company of Stationers, there were from time to time presses in activity outside of the capital, presses the work of which very largely escaped supervision. Either through such county town issues or by means of supplies imported from Holland, it is probable that English readers who were prepared to interest themselves in heretical literature met with no serious or continued difficulties in the way of securing the desired material. For England as for Holland and North Germany, the Indexes published at Rome and elsewhere served also as convenient guides for the book-buying and the reading of the more active-minded members of the community.

As before stated, it is not easy to arrive at any trustworthy net result concerning the final effect upon the literary conditions of Europe of the work of the ecclesiastical censors. The preceding brief summary gives my impression as to the more immediate effect of the censorship in the more important States which were within reach of the supervision of the Church. It would appear as if the literary conditions of each community had been hampered or interfered with in almost direct proportion to the efficiency of the censorship machinery. To the extent to which the prohibitions and restrictions of the Indexes were carried out consistently, literary activity was checked, the production of higher literature was lessened, and the intellectual capacities of the people were stunted.

It seems hardly possible that the indirect service, to which reference has been made, that was rendered by the work of the censors in emphasising for communities not within the control of their prohibitions the distinctive interest and abiding importance of the prohibited books, could make an adequate offset for the sterilising influence exerted within the communities that were under thorough supervision and control.

The system of organised Church censorship had its origin during the time of the Reformation in the necessity under which the Church felt itself of protecting the faithful, and perhaps more particularly the doubtful, from the influence of heretical arguments presented in printed form. The earlier history of the Indexes is therefore closely associated with the record of the conflict of the centuries between Protestantism and the Church. This relation has, however, a confusing effect in the attempt to estimate the direct influence of the censorship upon literature, for the reason that the direction of literary activities and the character of literary production were, during the two centuries succeeding the first protests of Luther, very materially affected, outside entirely of the influence of the censorship, by the theological and controversial tendencies of the time. The Reformation was an intellectual revolution, and the contest was carried out on both sides with intellectual weapons. These controversies had the effect of sharpening men's minds and of cultivating the capacity for thought, for analysis, and for reasoning power. In reading the controversial literature which proceeded on the one hand from such Protestant centres as Wittenberg and Geneva, and on the other from Rome, Cologne, or Louvain, it may well be to-day a matter of surprise that the writers

were able to count upon circles of readers likely to be interested in their dissertations and capable of understanding the class of arguments presented. It was the case during the 16th and 17th centuries not only that long series of controversial works were prepared by scholars for the reading of scholars, but that great masses of material, mainly in the form of pamphlets, were placed upon the market for the instruction or the influencing of what we should to-day call the common people. The tracts, "flyleaves" (*flüg-schriften*), which were distributed from the presses of Wittenberg were addressed directly to artisans, farmers, and peasants. For a few years, the controversial literature of this class was monopolised by the Protestants. The arguments of the defenders of the Church were addressed to the scholars and preachers with the idea of reaching through them the understanding of the common people. Before the middle of the 16th century, however, Catholic writers also began to give attention to the production of controversial literature addressed directly to the common people. The historian who to-day examines the files of this Reformation literature is struck by the high estimate placed by the writers on both sides upon the understanding of these readers among the people. It would be difficult to find to-day among the peasants of Germany, or in the same classes of other countries, any body of readers who would be prepared to interest themselves in thoughtful literature of such a standard, or who would be competent to follow the reasoning and the arguments of these controversialists of the Reformation period. It may be borne in mind, as a credit to the educational influence of the Roman Church, that these communities, the common people of which were sufficiently intelligent

to be influenced to the point of revolution by the arguments of the Protestant leaders, must have owed their education almost entirely to the priests of the Church of Rome.

While, in this direction of controversy, the Reformation had a stimulating effect on the intellectual interests of a number of the European States, it may be admitted that in certain respects its influence upon literature was hampering and restricting rather than elevating. In the countries in which the Protestant opinions secured control there was, for a considerable period at least, a decided setback to the study of the classics and to all literary production outside of the domain of theology or religion. The interest in classical literature which had been initiated in Italy under the so-called Renaissance and in connection with the rediscovery of the great works of Greece, was for the time lost sight of in the Protestant States of Germany and of the Netherlands and among the Calvinists of France and of England. Classic writers were classed as "pagans" and their works were discouraged as likely to have a worldly influence on the minds of the faithful. The work in the universities in these States was, outside of the theological faculties, more and more restricted to what might be called utilitarian channels. The text-books planned by Melancthon and his associates were of distinctive service for elementary education and undoubtedly represented a material advance over the books of the same grade which had been utilised for the elementary Catholic school. For a considerable period, however, the educational advance stopped with this elementary work; and in the universities there was a lack of higher grade teaching and a narrowing of the whole course of training.

The letters of Erasmus emphasise the conviction that took shape in his mind as to the essential injury brought upon the cause of higher scholarship by the absorption of so large a proportion of the active-minded thinkers in matters purely controversial. He believed strongly in the necessity for radical reforms in the Church. He recognised as clearly as did the Protestant leaders the enormity of the evils which had been permitted to creep into the administration of the affairs of the Church and to corrupt both the teachers and the hearers. He looked with dismay, however, upon the operations of the reformers when these took the shape of antagonism to the final authority of pope or council and thus constituted an assault upon the very existence of the Church Universal.

To Erasmus and to other scholarly readers in the Church whose devotion to the religious purposes of the Church organisation was possibly purer minded and more consistent than his own, men like Sir Thomas More, and Dean Colet, it seemed essential for the wise management of the Church upon which depended the maintenance of the true faith, that the leadership and authority should be left in the hands of scholars. They dreaded lest the establishment of the doctrine of individual interpretation, of the right of believers to a direct relation with their Creator, and the shaping of creeds and of rules of action apart from the counsel and guidance of trained ecclesiastics, must of necessity lead to such excesses as were evidenced in the performances of the Anabaptists in Westphalia, or in the utterances of the fanatics who incited the peasant revolt in Saxony.

It may be concluded, therefore, that while the machinery of ecclesiastical censorship remained in

force only in the countries which the Reformation had not succeeded in detaching from the control of the Church, there was no such immediate advantage, at least during the half-century succeeding the work of Luther, in the production and distribution of literature in the Protestant countries as might have been expected to result from the freedom secured from the interference of the ecclesiastics. By the close of the 16th century, however, when the Protestant control of the States which have since remained Protestant seemed to be fairly assured (an assurance which was, to be sure, rudely interrupted twenty years later, by the opening of the "Thirty Years War"), there came a reaction in the educational centres in these States in favour of the work of higher education. The study of Greek, and to a smaller extent that of Hebrew, was taken up in certain of the Protestant colleges. A wide circulation was secured for the text of the Greek Testament, which had been issued by Erasmus through the presses of Froben in Basel, and in connection more particularly with this Testament the study of Greek was carried on with increasing interest in Wittenberg, Erfurt, and other of the educational centres of North Germany. The introduction, for the purpose of Greek study, of the editions of the great Greek classics, prepared by Aldus and one or two other of the more enterprising printers, naturally brought with it a renewed interest in the works of the Latin writers. These were no longer classed as pagan frivolities but were accepted as belonging to the intellectual property of the world.

This revival of letters, untrammelled by Church censorship, was, of necessity, seriously interfered with during the ravages of the "Thirty Years War." A

considerable period elapsed after the Peace of Westphalia, in 1648, before the disasters and destructions of this long contest were sufficiently made good to enable the natural interests and activities of the people to resume their course. By the beginning, however, of the 18th century, the larger intellectual activities of the Protestant States of Europe had made themselves clearly apparent. The literary production of these States not only greatly exceeded in mass that of the Catholic States, but included a very much larger proportion of what might be called the world's books, that is to say, of books which exerted a continued and increasing influence from generation to generation. The great works of imagination, the records of noteworthy scientific discoveries, the histories accepted as authoritative, the treatises in higher metaphysics, were produced, of course not exclusively, but in very much greater proportion, in the countries which had either thrown off altogether the authority of Rome, or which, as was the case with France, while still classed as faithful to the Church, had practically refused to accept the supervision of the Roman Church over their national literature. It may be concluded that the theory upon which the censorship of the Church was based is incompatible with the natural and complete development of the literary potentialities of a people and interferes with the production of higher literature in direct proportion to the effectiveness with which it may be applied.

It may further be concluded that, excepting in the case of Spain, the ecclesiastical censors did not succeed in hampering very largely the literary production even in Catholic States, although, as before pointed out, the general influence of the Church appears always

to have worked against the full intellectual development of the communities that remained in the faith and that accepted the ecclesiastical authority.

The wider enquiry as to the extent of the influence of the Church censorship, during the three centuries of its greatest activity, upon the literary production of Europe, that is to say, the question as to how far, in case no censorship had been attempted, this literature would have been different in character from or greater in importance than, that which actually came into existence, must, I judge, remain unanswered.

The responsibility for the policy pursued during the centuries since the advent of printing for a censorship control of literature does not rest alone with the Catholic Church. In all of the Protestant States, attempts were made from time to time to control and to restrict the operations of the printing-press. In the Protestant States of Germany, the preparation of the local Indexes or lists of books condemned, and the issue of the decrees for the separate condemnation of any individual work, were in part placed in the hands of the Protestant ecclesiastics and in part managed directly by the civil authorities. The authority, however, under which the orders were issued and the penalties were enforced was always that of the State. The edicts were given out in Dresden, or in Berlin, as in Brussels, Madrid, or in Paris, in the name of the ruler. The series of such decrees or censorship actions is long and complex.

There can, of course, be no question that from the outset the leaders of the Protestant Reformation believed as thoroughly in the necessity and in the rightfulness of the censorship of literature as did the ecclesiastics of Rome or of Spain. The duty

of protecting the minds of the faithful against the insidious and wrong doctrine was just as clear to Calvin, to Zwingli, and to Luther, as it was to Loyola or to Brasichelli. The Protestant ecclesiastics were, however, not in a position to enforce or even to threaten any such penalties as could be imposed by the authorities of Rome, and as in fact were imposed most consistently and effectively by the Inquisition in Spain. They had under their control no such dread penalty as excommunication. The leaders of the Protestant faith were compelled to rely upon the civil authorities of their several States for carrying out the provisions of such censorship policy as might be decided upon, and concerning the wisdom of which they had been able to convince the civil rulers.

Irrespective of the censorship initiated by the divines, which had for its purpose the maintaining of a specific creed and the preservation from attack of "sound theology," there is record of a long series of attempts (attempts which have in fact continued into the 20th century) to enforce what may be called political censorship,—that is to say, the control of literary production in the interests of the State and in support of the authority of the State, against opinions believed to be inimical to such authority. It may at once be admitted that the series of Protestant prohibitions, whether ecclesiastical or political in their origin, do not compare favourably with the similar prohibitions issued under the authority of the Church of Rome. There is far less consistency of purpose, and, at least as far as the political edicts are concerned, there are more examples of bitter and brutal oppression than can be matched anywhere in the States controlled by the Roman Church outside of Spain.

The list of books which came into condemnation under such Protestant censorship during the centuries in question was very much more considerable than the aggregate of all the lists of the Indexes issued in Rome or issued under the authority of the Roman Church. The censorship policy of the Protestants was more spasmodic, and may be admitted to have been directed on the whole by a less wholesome, dignified, and honourable purpose. It represented very much more largely the spirit of faction or of personal grievance, while the political censorship was, of necessity, influenced by the action of the party which happened for the moment to be in control or of the minister who had for the time the ear of the ruler.

While in form this Protestant censorship may, therefore, be considered as less defensible than that of the Church of Rome, it may be contended that in fact it has proved on the whole much less serious in its effect upon intellectual activities. In nearly all of the Protestant States, the attempts on the part of the divines to exclude religious and theological literature which was not in accord with their own dogmas and opinion, were given up in the century succeeding the Reformation. The censorship action of the State has, as we know, continued in certain divisions of literature to the present day, but even under this political censorship, it cannot be contended that literature has been seriously repressed or even largely influenced. It is not practicable, under the conditions obtaining in modern States and with the active intercourse between the residents of such States, to repress any literary productions for which a circle of readers is waiting. The books condemned and prohibited in Berlin come into print in Leipsic, or if the Imperial

authority is sufficient to control conditions in Leipsic, are produced without difficulty in Amsterdam or Leyden. It is impossible to prevent the books so printed from finding their way back even into the territory in which their production and distribution has been absolutely forbidden.

Father Hilgers, whose work on the history of the Index of the Roman Church constitutes the latest, and probably the best, authority on the orthodox Catholic view of the purpose and the influence of the Roman censorship, is able to make a very formidable indictment against the operations of Protestant censorship, ecclesiastical and political. Certain of the statistics collected by him are presented in the chapter on Protestant censorship. He does not undertake to explain, however, why it is that the literary activities repressed from the time of the Reformation in the Catholic States have continued to develop and to be strengthened in all the States which were outside of the control of Roman censorship. He makes no reference to the very specific example presented in his own German country of the transfer of literary leadership and of publishing activities from the States of the South to the States of the North, a transfer which went on in direct connection with the success of the Church in controlling the printing-presses in the territory of such States as remained Catholic.

The concentrated attention given during the period of the Reformation and by the generations immediately succeeding the Reformation to controversial issues had an important influence on the intellectual development of the people. The effects produced upon general education, and particularly upon primary education, were also important. The students who had secured from

the higher grade schools, established by the reformers throughout North Germany, a common school education such as prior to Melanchthon's time had not been attainable anywhere in Europe, were, in great part at least, not satisfied to let the work of education be brought to a close with the end of their school course. They pressed into the universities which had remained in existence after the withdrawal of the Catholic instructors. New universities were speedily required in many of the North German States to meet the growing demand for higher instruction. The organisation of a number of the important universities of North Germany dates from the century succeeding the Reformation. These universities speedily became the centres of literary activity and of publishing production. With the relaxation of Catholic censorship, the publishers were free to prepare for the public reprints of such old-time literature as was now being called for. The study of Hebrew, discouraged and almost brought to a close in the Catholic universities after the long persecution of Reuchlin and his followers, was taken up with earnestness by Protestant scholars who had so largely based their creed and their conduct on the teaching of the Old Testament. The study of Greek, discouraged at least for a time in Catholic France, after the banishment from Paris of Robert Estienne with his printing-presses, was pressed with fresh energy in Leipsic, in Leyden, and in Oxford.

It is not easy in this 20th century fully to realise the state of mind of the individuals, whether ecclesiastics or civilians, whether of Rome, of Paris, or of London, who have not hesitated to assume for themselves the wisdom requisite to pass upon all divisions of knowledge and who have been willing to take the responsibility

for the direction, the restriction, and the continued control of intellectual activity in all realms of thought. I may recall the eloquent argument in behalf of the freedom of the press which was made three centuries back by one great thinker, who was at the time (as it is fair to remember) protesting against the oppressive action not of the Church of Rome, but of the Parliament of Protestant England. John Milton writes in the *Areopagitica:*

"For Bookes are not absolutely dead things, but doe contain a potencie of life in them to be as active as that Soule was whose progeny they are; nay, they do preserve as in a violl the purest efficacie and extraction of that living intellect that bread them. I know they are as lively and as vigorously productive as those fabulous Dragons' teeth; and, being sown up and down, may chance to spring up armed men. And yet on the other hand, unlesse warinesse be used, as good almost kill a Man as kill a good Booke; who destroyes a good Booke, kills Reason itselfe; Kills the image of God as it were in the eye. Many a Man lives a burden to the Earth; but a good Booke is the pretious life-blood of a master spirit, imbalm'd and treasured but on purpose to a Life beyond Life. 'T is true, no age can restore a Life, whereof perhaps there is no great losse; and revolutions of ages doe not often recover the losse of a rejected Truth, for want of which whole Nations fare the worse. We should be wary therefore what persecution we raise against the living labours of publick men, how we spill that seasoned life of Man preserved and stored up in Bookes; since we see a kinde of homicide may be thus committed, sometimes even a martyrdom; and if to extend to the whole impression, a kinde of massacre, whereof the execution ends not in the slaying of an elementalle Life, but strikes at that etherialle and first essence, the breath of Reason itselfe and slaies an Immortality rather than a Life." [1]

[1] Milton's *Areopagitica*, Lond., 1819., 17 *et seq.*

CHAPTER II

CENSORSHIP IN THE EARLY CHURCH, 150–768

"MANY of them also which used curious arts brought their books together and burned them before all men."[1] This reference to the action taken by certain men in Ephesus under the influence of the eloquence of St. Paul is frequently cited by upholders of the censorship policy of the Church of Rome. Some of the more artistically printed editions of the Index (such for instance as the first Roman edition of the Index of 1758) contain, as a vignette title, a representation of Paul's converts casting into the flames their books of magic, and beneath the print the verse from the Acts. The fact that St. Paul was willing to have his disciples, in their zeal for their new-born faith, make a voluntary sacrifice of writings believed to be incompatible with this faith cannot, of course, in itself constitute a sufficient warrant for the claim developed later by the Church of the right to destroy all literature that its rulers considered to be pernicious, or for the still larger claim of authority to inflict extreme penalties on those who produced, multiplied, or possessed the works thus condemned. An admonition to get rid of unchristian books is one thing, and the imposition of excommunication (or of an unconscious liability to excommunication),

[1] Acts xix, 19.

on the ground of the reading of erroneous doctrine, is another and a very different thing. But the whole theory of Church authority and of excommunication was, of course, a matter of slow development through the ages that followed the preaching of St. Paul. It was in fact not until the 16th century that there came into existence anything that could be called a censorship policy or any attempt at a general censorship system; but from the earliest periods in the history of the Church there are instances of condemnations of individual writers, and of prohibitions, under severe penalties, of the manifolding or distribution of particular works. These prohibitions are usually the result of one of the series of fierce controversies about dogma that characterised the earlier centuries of the Church. They emanate for the most part from councils, but they are occasionally issued directly by the pope or by local bishops. In certain cases, they take the form of an imperial edict, but even in these the initiative comes from a council. It is probable that the influence either of the councils or of the emperor in restricting the multiplication or distribution of the writings that had been condemned was not very effective. The edicts and decrees may be considered as representing an expression of opinion (connected with one of the bitter theological controversies of the day) rather than as regulations to be enforced. There was in fact no machinery for the enforcement. The work of the copying scribes could not be supervised, as was possible later for the operations of the printers, and the manuscripts could be passed from hand to hand among the sectarians, without the intervention of a book-shop. There are instances of literary censorship on the part of the imperial authorities of Rome before the institu-

tion of the Christian Church. These are outside of the range of my present subject, but certain examples may be cited as curiosities.

Early Prohibitions of Literature.—Tacitus remarks that Augustus was the first ruler who undertook to punish a word written or spoken (that is to say, a word unaccompanied by action). While the law of the Roman Republic had recognised as deserving of punishment only criminal deeds, the Emperor brought the authority of the law to bear upon writings described as libellous or scandalous (*libelli famosi*). He ordered, for instance, that the writings of Labienus should be publicly burned. His successor, Tiberius, issued a still stronger regulation for the supervision of undisciplined or insubordinate writings. Cremutius Cordus was driven from his occupation and left to die through poverty for the offence of speaking of Gaius Cassius as "the last Roman." His writings were ordered to be burned by the Aediles. Tacitus speaks with scorn of those who, in the possession of a little momentary power, undertake to crush out opinions not in accord with their own, or to prevent such opinions from being handed down to posterity. The writings of Vejinto were prohibited by Nero. Concerning this prohibition, Tacitus writes: "So long as the possession of these writings was attended with danger, they were eagerly sought and read; when there was no longer any difficulty in securing them, they fell into oblivion." An edict ascribed to Domitian ordered that the historian Hermogenes and any book-dealers who concerned themselves with the distribution of certain writings of his which had libelled the Emperor should be crucified.[1] The German historian Schmitz

[1] Zeller, *Philosophie der Griechen*, i, 4, cited by Kapp, 523, 524.

is, however, of opinion that this so-called edict of Domitian was apocryphal. It appears certainly, however, to have been the case that the policy of these earlier emperors was decidedly opposed to any freedom of expression of thought. If it is the case that in the later centuries of imperial rule there are fewer instances of punishments of writers or orders for the suppression of literature, the explanation may be that literary activity had already been substantially repressed. Justinian deposed from office Severus and certain other bishops because they had been lax in their supervision of literature, and had permitted the wide circulation throughout the realm of prohibited books and pernicious writings. With the development of the Church of Rome to the ecclesiastical headship of the world, the claim for the supervision of literature and for the control of the productions of authors was asserted by the Church as the legitimate successor of the imperial authority. It is the opinion of Lea that the earliest act of censorship, and perhaps the most sweeping, of the Christian Church is that contained in the "Apostolic Constitutions" which purport to have been written by St. Clement of Rome at the dictation of the Apostles. These prefigure the Index by forbidding the Christians to read any books of the Gentiles;—"the Scriptures should suffice for the believer."[1]

The following schedule of the more representative and important of the prohibitions of the early Church is based chiefly on the record presented by Reusch.

150 A. D. (*about*). *A synod of bishops of Asia Minor*, meeting either at Ephesus or at Smyrna, prohibits the *Acta Pauli*. The *Acta Pauli* was an historical romance

[1] *Const. Apost.*, lib. i, cviii, cited by Lea, 15.

written about the middle of the 2d century and having for its purpose the glorification of the life and labours of St. Paul. The text of a portion of the work has recently been produced in facsimile, from a Coptic manuscript, by Professor Carl Schmidt of Heidelberg. The book is referred to by Eusebius and also by Photius, who writes in the middle of the 9th century. There is an earlier reference by Tertullian in his work on baptism, written about 200. According to Father Shahan, the work was condemned on the ground that, although apparently the work of an "orthodox" Christian, it did not present an authentic record. Notwithstanding this condemnation, the *Acta Pauli* continued throughout the earlier centuries of the Church to secure circulation among Christians. This action of the bishops of Asia Minor appears to be the first recorded instance of ecclesiastical censorship of a work classed as heretical or at least as not authentic.[1]

325. *The Council of Nicæa* prohibits the *Thalia* of Arius.

325. *The Emperor Constantine* issues an edict directing the destruction of the godless books of Porphyry and of the writings of Arius. The penalty of death was ordered for any who might conceal copies.

398. *The Emperor Arcadius* issues an edict ordering, under penalty of death, the destruction of the books of the Eunomians.

399. *Arcadius* issues an edict ordering the destruction under penalty of death (*humiliores capite puniuntur*) of all books of magic art. These edicts of Arcadius were the result of the action of the first two councils of the Church. It seems evident that the extreme

[1] Thos. J. Shahan, in the *Catholic University Bulletin*, January, 1905.

penalties prescribed in the Roman law for those who should use or distribute books of magic were, under the influence of the ecclesiastics, utilised for the repression of their theological opponents.

399. *The Council of Alexandria*, under Bishop Theophilus, issues a decree forbidding the owning or the reading of the books of Origen. The Egyptian monks protested and the bishops were obliged to call in the aid of the prefects to restore order in the council and to agree to enforce its authority. It is to be noted that the service of the secular government was required to secure the enforcement of this edict.

402. *Innocent I* writes: "I have read through the treatise of Pelagius. I found in this much that was antagonistic to the Grace of God, much that was blasphemous, and hardly anything that was deserving of approval. The book is one the evil influence of which each believer ought to be able to recognise for himself and to condemn." This papal utterance is, of course, not to be classed as a prohibition. I make place for it in the schedule because it is an early expression of the literary policy that is now, fifteen centuries after Innocent, being followed by the Church, namely, to characterise pernicious books and to place upon believers the responsibility of condemning them for themselves.

431. *The Council of Ephesus* condemns the errors and the writings of the Nestorians.

435. *The Emperor Theodosius* issues an edict forbidding the possession, the reading, or the copying of the Nestorian books, and ordering existing copies to be delivered up for burning.[1]

[1] *Cod. Theod.*, i, 16, tit. 5.

436. *Theodosius* issues an edict forbidding the possession and the reading of the books of the Manichaeans and ordering the burning of the same.[1]

446. *Pope Leo I* issues an edict ordering destruction of the books of Porphyry and of Origen, and the writings of the Nestorians, the Manichaeans, the Eunomians, the Montanists, the Eutychians, and all others which were antagonistic to the Christian religion, and which were not in accord with the teachings of the Synods of Nicaea and Ephesus. The prohibition reads: "Whoever owns or reads these books is to suffer extreme punishment."

494. Under *Pope Gelasius I*, was issued what is afterwards referred to as the first papal Index. It was a catalogue of works prohibited, and is so cited in the Decretals of Gratian. It was, however, not properly a prohibitory Index, in that it has to do, not with private and general, but with public or official reading.

496. *Pope Gelasius* issues a decree, published at a council of Rome, and confirmed in a decree of Gratian, which specifies the patristic writings accepted and approved by the Church, and which then proceeds to the condemnation of a long series of apocryphal and heretical writings and writers. These writings are specified as follows: "*Haec et omnia his similia non solum repudiata, verum etiam ab omni Romana catholica et apostolica ecclesia eliminata atque cum suis auctoribus auctorumque sequacibus sub anathematis indissolubili vinculo in aeternum confitemur esse damnata.*"[2] This decree, known as the *Decretum Gelasianum*, is sometimes

[1] *Prosper. Chron.* Paris, 1711, 749.
[2] *Conc. Gesch.*, ii, 217

referred to as the earliest example of an Index emanating from the Church. It is, however, an Index only in a restricted sense of the term, as it does not order a general prohibition of the reading of the works specified but calls simply for their rejection and condemnation. The phrase *omnia his similia* is curiously vague for an Index specification.

536. *The Emperor Justinian*, as a result of a condemnation by the Synod of Constantinople, orders the burning of the books of Severus. The manifolding of these books is prohibited under a penalty for the scribe of the loss of his writing hand.[1] It appears from these and from similar examples that, according to the practice of the two centuries after Constantine, the responsibility for the condemnation of heretical writings was assumed by the councils, while the work of prohibiting the books, of destroying the copies, and of punishing those who retained copies was carried out under the authority of the emperor.

649. *Pope Martin I* issues a decree condemning and prohibiting certain heretical literature.

681. *The Council of Constantinople* issues a decree condemning certain heretical literature and ordering all copies of the same to be burned. This is the first instance in which, in place of referring the matter to the secular authority, a council had itself ordered the destruction of the condemned books.

692. *The Council of Trulla* issues an edict ordering the burning of certain histories of the martyrs, which had been produced in versified form.[2]

755. *The Council of Rome* issues an edict ordering

[1] Mansi, viii, 1153.
[2] Ibid., xi, 582.

the burning of certain condemned writings of Adelbert. Pope Zacharius took the ground, however, that it would be wiser to preserve the offending books in the archives of the Papacy, *ad reprobationem et ad perpetuam ejus confusionem.*

768. An authorisation is granted by *Pope Stephen III* to Ambrosius Autpert, a Benedictine monk, for a treatise the title of which is not given. In his application, Autpert states that he is the first author who has sought for his work the approval of the Head of the Church; and that he is anxious to keep his writings in accord with the teachings of the Fathers of the Church.[1]

787. *The second Council of Nicaea* issues an edict ordering the destruction of certain "falsified utterances of the Martyrs" which had been prepared by "enemies of the Church."

814. *The Patriarch Nicephorus* orders the destruction in Constantinople of similar falsified acts of the Martyrs. The number of such censorship edicts in the early Church is not considerable, but it is to be remembered that through the lack of knowledge of reading, the faithful were, during these centuries, fairly well protected against any evil influence from pernicious literature.

[1] Baillet, i, 26.

CHAPTER III

THE PROHIBITION OF BOOKS IN THE MIDDLE AGES 830–1480

DURING the period known as the Middle Ages, a period which, for the purposes of this study, can be considered as comprising the centuries from the 9th to the 15th, a long series of condemnations and prohibitions of books were ordered by various ecclesiastical authorities. The brief list here given, as a link in the record of Church censorship, presents certain types or examples of the attempts made, in advance of any system of general Indexes, to supervise, control, and restrict the production and distribution of literature.

830–840. During these years, measures were taken against Claudius, Bishop of Turin, and Agobardus, Archbishop of Lyons, on the ground of their heretical writings, but these last were not formally condemned.

849. Gottschalk, a German monk, was, at the instance of Hincmar, Archbishop of Rheims, excommunicated and condemned to imprisonment for life, on the ground of his treatise against certain doctrines of St. Augustine. Gottschalk died in a dungeon about 869. The Index of 1559 places Claudius in the first class, in which he has the honour of being the earliest author. This entry is continued in the Index

of 1564 and later. The name of Agobardus first finds place in the Index of 1605, and there only in connection with the *editio princeps* of his works printed in 1605. The edition of 1666, and the later issues, failed to receive formal condemnation. Gottschalk's treatise escaped the attention of the Index compilers.

1050. *The Synod of Vercelli* condemns the treatise by Berengar of Tours on the Lord's Supper, and also the work by Ratramnus of Corbu (written some two centuries earlier) entitled *De Corpore et Sanguine Christi.*[1] The former book came under various later condemnations.

1059. *A Synod at Rome* compels Berengar himself to burn the thesis he had written in defence of his position.

1120. *A Synod at Soissons* compels Abelard to burn his treatise, *Introductio in Theologiam.*

1140. *Innocent III* orders the burning of the writings of Abelard and of Arnold of Brescia, and the confinement of the two authors in monasteries.

1148. *A Synod at Rheims* condemns four chapters of the Commentary by Gilbert de la Porrée on the treatise by Boethius, *de Trinitate.* Gilbert had proposed to make in the book such corrections as the pope might order; but the pope had refused to assume the task. Hefele speaks of this as the first known instance of an attempt to relieve a text from condemnation by means of expurgation. Gilbert does not find place in any of the official Indexes but is recorded by Lutzenburg.

1209. *A Synod at Paris* condemns the *Physion* of Amalric (Amaury) of Chartres (who had died five

[1] Hefele, iv, 712.

years earlier), excommunicates the writer, and orders his remains to be cast out of their resting place in consecrated ground. Amaury had undertaken to identify the Divine Nature with the primary matter of Aristotle. A number of the followers of Amaury were, in December, 1210, burned under the commands of Philip Augustus.

1209. *The Synod of Paris* condemns the writings of David of Dinant. It also forbids, under pain of excommunication, the reading of the *de Metaphysica* until it had been expurgated.

1215. *The Lateran Council* condemns the same work.

1215. *The fourth Synod of the Lateran* condemns the tractate written by the Abbot Joachim against Peter Lombard. Joachim had died in 1202. The decree reads: "Any one who shall attempt to defend the heretical utterances of the said Joachim concerning the Trinity shall be thrust out as a heretic." It was ordered that the writings of Joachim were to be submitted to the Curia for correction.

1225. *A Synod at Sens* passes condemnation on the treatise by Scotus Erigena (written about 860), *De Divisione Naturae.* Pope Honorius confirmed this condemnation and ordered that all persons possessing copies of the book must, under penalty of excommunication, deliver the same, within fifteen days, to the ecclesiastical authorities for burning.[1]

1231. *Pope Gregory IX* writes to the University of Paris directing the prohibition of the *Libri naturales* of Aristotle, as condemned by the Provincial Council, until they have been freed from heresies.

1276. *Bishop Stephen Tempier*, under instructions from the Pope (John XXI), and in council with the

[1] Hefele, v, 833.

prelates of his diocese, publishes a condemnation of 219 propositions which had been under discussion in the Schools. The judgment states, rather naïvely, that while they were true philosophically, they were false when tested by the doctrine of the Church. The bishops condemned at the same time a long series of books on magic and necromancy and ordered all copies to be delivered for destruction within seven days.

One of the teachers whose influence was most potent during the middle of the 13th century against the heresies that were disturbing university circles was the great schoolman Thomas Aquinas. A writer in the Dublin *Review* says that by his astounding powers of reasoning, he turned the tide of scepticism in Paris, "whose vocation it was to teach the world!"— Before the lectures of Aquinas began, other measures had been used against the heretics: "Ten disciples of the misbelieving David Dinanto were given over to the civil arm and had perished in the flames." Archbishop Vaughan says naïvely, "several fanatics of low rank had to be burnt."[1]

In 1300, Gherardo Segarelli, of Parma, the founder of the Apostolic Brothers, was burned, together with such copies of his writings as had been collected.

1311. The writings of Segarelli were formally condemned by the *Council of Vienna*, a condemnation which was a year or two later confirmed by John XXII. In 1471, that is, more than a century and a half later, these same writings were formally approved by Sixtus IV, the condemnation having been recalled.[2] This appears to be the first instance on record in

[1] Cited by an anonymous writer in the Dublin *University Review*, Jan., 1906.

[2] Döllinger, 334.

which a work condemned by one pope has later received the approval of another.

1316. The Inquisition in Tarragona condemns fourteen treatises of the physician Arnold of Villanova (who had died in 1310), and orders copies to be delivered under penalty of excommunication.

1321. John XXII condemns twenty-eight propositions selected from the writings of the Dominican Eckart. Seventeen are classed as heretical and eleven as suspicious and dangerous.

1325. John XXII issues a Bull against conjuring and exorcism, and orders the delivery for destruction of all writings which contained any teachings on these pernicious subjects.

1327. John XXII issues a Bull condemning as heretics Marsilius of Padua and John of Jaudun, and as heresy the book *Defensor Pacis* of which they were joint authors and which he had had examined by cardinals and canonists.

1328. The Inquisition of Rome condemns as a heretic Cecco d' Ascoli, who is burned together with his offending treatise, *de Sphaera.*

1328. John XXII condemns and orders destroyed the writings of the Minorite Petrus Johannes Oliva, which had been examined and reported upon by nine theologians. The bones of Oliva were disinterred and were burned with copies of his books.[1] *In 1471, Sixtus IV* (who was himself a Minorite) orders the writings of Oliva to be again examined and declares them to be sound in their doctrine.

1328. John XXII condemns in like manner the Minorite General Michael of Cesena, William of Occam, and Bonagratia of Bergamo, and all their writings.

[1] *Arg.*, i a, 270.

1330. The Theological Faculty of Heidelberg condemns the teachings of Eckart.

1348. Pope Clement VI condemns a series of the theological propositions of the Paris theologian, Nicholas de Ultricuria (de Autrecourt). Nicholas was ordered to abjure these heresies and to burn all copies of the writings.[1]

1374. Pope Gregory XI, as a result of an examination made by certain cardinals and theologians, condemns as false, schismatic, and heretical, and as *contra bonos mores*, fourteen articles of the *Sachsenspiegel*. The Bull was directed to the Archbishops of Mayence, Cologne, Bremen, Magdeburg, Prague, and Riga. The *Sachsenspiegel* was, however, never placed on the Index.

1378. Gregory XI, as a result of a denunciation by the Inquisitor, Nicholas Eymeric, condemned two hundred propositions selected from twenty treatises of Raymond Lully (who had died in 1315). In 1419, the papal legate in Spain characterises this Bull as having been secured under false representations, and as not to be regarded. After that time, there were numerous bitter controversies over the precise status of Lully's writings, controversies in which the orthodoxy of Lully was maintained by the Franciscans, while the soundness of the denunciation of Eymeric was upheld by the Dominicans. Paul IV placed Lully in Class II of his Index: but his name was omitted from the Index of Trent. In 1580 and in 1620, question again arose as to placing Lully on the Index, but the suggestion was withdrawn at the instance of the Spanish court.

1387. King Richard II prohibits, under penalty of

[1] *Arg.*, i a, 355.

imprisonment and confiscation of property, the sale or purchase of the heretical writings of Wyclif (who had died in 1384) and of Nicholas Hereford.

1408. *The Convocation of Canterbury*, under the direction of Archbishop Arundel, prohibits the reading of any writings of Wyclif, or of "any other writings of his time," until the same had been passed upon and expurgated by censors appointed by the Universities of Oxford and Cambridge, and the expurgated texts had been approved by the archbishop.[1]

1415. *The Council of Constance* condemns as heretical the writings of John Wyclif. It is forbidden, under pain of excommunication, to read them or to make citations from them (except for the purpose of refuting their errors); and the bishops are ordered to cause all copies to be collected and burned.

The council takes similar action in regard to the writings of John Huss, copies of which were publicly burned. In the year following, the same fate came upon Huss himself, and also upon Jerome of Prague.

1435. *The Council of Basel* condemns a work by Augustinus Favorini, Prior General of the Augustinian Eremites. The book was characterised by Cardinal Torquemada as unwholesome and heretical. The author appealed to the Pope (Eugenius IV) who, against the protest of the council, referred the book to a committee of investigation. The report of the committee is not on record, but it was probably unfavourable, as the book (which was never printed) stands, since 1559, on the Index.

1459. *Pope Pius II*, at the demand of the Inquisition, condemns the writings of Pecock, Bishop of Chichester

[1] Wilkins, iii, 314.

(charged with Wycliffian heresies), and orders copies of the same to be delivered for burning.

1460. *Pius II* condemns certain "Hussite" writings of Gregory of Heimburg and, in *1461*, the condemnation is repeated in a *Bulla Coenae*.

1463. *Pope Pius II* (*Aeneas Sylvius*) issues a Bull entitled *In Minoribus Agentes*, directed to the University of Cologne. In this Bull, Pius takes the ground that the tractate on the Council of Basel, written by him before his elevation to the Papacy, (which he points out he had previously withdrawn) is to be considered as cancelled. He disapproves of the opinions therein presented. He says further to the university: "In case you may find among writings of mine (and I have in my younger days been responsible for many) any that are unsound or are likely to prove pernicious, these should be pointed out and condemned." [1]

In the Index of 1559 is placed not the work above referred to, but the *Commentarium de Concilio Basileensi*, by Aeneas Sylvius. In the Index of Trent is the entry:

"*In Actis Aeneae Sylvii prohibentur ea quae ipse in Bulla retractationis damnavit, Ben. in: Piccolominens, Commentariorum de concilio Basil. Corrigantur ea quae ipse in B. r. d.*"

Reusch points out that, as no corrected edition was ever issued, these two works of Pius II must be considered as still under condemnation. His "Letters" and other writings (some of which he had also disavowed) escaped formal condemnation.

1468. *Paul II* excommunicates Gregory of Heimburg on the ground of his treatise on the Papacy.

[1] Harduin, ix, 1449

Gregory's name fails, however, to find a place either in the catalogues of Lutzenburg, or in any of the Indexes, although this treatise was reprinted in 1555.[1]

1479. Sixtus IV gives authority to Carillo, Archbishop of Toledo, to bring to trial Pedro Martinez de Osma, professor in Salamanca, by reason of the heresies in his tract *De Confessione.* Pedro recants his heresies, and the archbishop orders all copies of the book to be burned. The university is enjoined to take measures to such end. Sixtus confirms this proceeding in 1480, by a Bull. In the same year, Pedro dies. His name is not included in any Index, either Spanish or general.

1480. The Inquisition of Mayence brings to trial Johann Ruchrath of Overwesel (de Wesalia) on the ground of certain *Paradoxa* contained in his sermons, and of his tractates on the authority of the Church, absolution, etc. Ruchrath recanted and was, therefore, spared from death but condemned to imprisonment for life. He died in 1481. The books were burned. The name of Wesalia appears, since 1559, in the first class of the papal Indexes.

Prohibitions of Hebrew Writings. In the centuries preceding the institution of the Indexes, the *Talmud* and the other doctrinal writings of the Hebrews came repeatedly under the prohibitions of the Church.

1239. Pope Gregory IX orders the burning of all copies of the *Talmud.* Graetz states that the antagonism of the authorities was at the outset directed against the Babylonian *Gemara*, and against the *Mischna* only when this was associated with the *Gemara.*[2] As a result of a denunciation by the converted Jew, Nich-

[1] Schulte, *Gesch.*, ii, 372.

[2] Graetz, *Gesch. der Jüden*, vii, 112, 462.

olas de Rupella, Gregory sent, in 1239, letters to the kings and archbishops of France, England, Spain, and Portugal, ordering that, on a specified day, all copies of these books were to be delivered to the Dominicans and the Minorites, and that if they were found to contain the heresies described by Nicholas, they were to be burned. Reusch says that this order was carried out only in France.

1244. Innocent IV orders Louis IX to burn all copies of the Talmudic writings to be found in his kingdom. Later, on the protest of the Jews of France, the Pope directed Cardinal Odo to make a fresh examination of the texts, and in so far as it could be done without injury to the Christian faith, to permit copies to be retained by the Jews themselves. In 1248, after a further investigation by Odo and forty scholars (including Albertus Magnus), Odo again orders the destruction of the books.

1254. Louis IX issues renewed orders for the burning of copies of the *Talmud* and of other Hebrew books containing blasphemies.

1267. Clement IV sends, by the hand of the Dominican Paulus Christianus, a converted Jew, letters to the Archbishop of Tarragona, ordering the destruction of the books of the Jews, and especially *librum quem vocant Talmutz.*

1415. Benedict XIII orders all copies of the Talmudic books to be delivered to the bishop of the diocese and by him to be preserved, subject to the instructions of the Curia. The Jews are forbidden to possess copies of any works which contain assaults on the Christian faith.[1] In the quarter-century between 1495 and 1520 (a term which included the Papacy of Leo X), on the

[1] Döllinger, *Beitr.*, ii, 393.

other hand, there was in Italy a keen interest in Cabbalistic studies. Editions of the *Mischna* and of the Jerusalem *Talmud* were printed in Venice and in Florence; the Babylonian *Talmud* was printed by Bomberg in Venice in 1520, 1522, with a papal privilege, and the demand proved sufficient to call for a reprinting in 1546.[1]

1555. The Inquisition of Rome orders the confiscation of copies of the Talmudic books from the houses of the Jews, and the investigation of the texts by theologians. The rabbis were themselves interrogated as to the purport of the books. As a result of this investigation, the books were burned on the 9th of September (the Jewish New Year's day).

1555. Julius III publishes an edict directing all princes, bishops, and inquisitors to confiscate and destroy by fire all copies of the "Talmuds" of Jerusalem and of Babylon. Christians are forbidden, under pain of excommunication, to possess or to read these books, or to aid the Jews in producing copies by script or by printing.[2]

1559. Paul IV. The Roman Index of this year includes among books prohibited the *Talmud* of the Jews, with all commentaries, glosses, and interpretations. In the same year, Ghislieri, Inquisitor-General, orders the burning of all copies. Sixtus of Siena was sent to Cremona, where there was a great Hebrew school and where was kept in store a supply of copies of the Talmudic books. Sixtus reports that he destroyed of these 12,000 volumes.[3]

1564. Pius IV. In the Index of Trent, the prohibi-

[1] Wolf, *Biblioth. Hebr.* ii, 883. [2] Eymeric, *App.* 119.
[3] Graetz, ix, 381.

tion of Paul IV is repeated, with the proviso that if the Talmudic scriptures (referring probably to the *Talmud* of Jerusalem rather than to that of Babylon) are printed without the name of *Talmud*, and have eliminated from them all assaults on the Christian faith, they may be permitted. Graetz states that in October, 1563, the Jewish congregations had sent two deputies to Trent to secure the omission from the Index of the *Talmud* and the other works of Hebrew doctrine; or if this could not be accomplished, that the decision concerning the form of prohibition or regulation should be reserved for the authority of the Curia. The latter course was adopted by the council, and the Pope, for a substantial consideration in money, issued a Bull (March 24, 1564) permitting the printing and the circulation of an expurgated *Talmud*.[1]

1565. The Inquisition of Rome (according to the tractate of Sixtus printed in 1566) condemns and orders destroyed all books having to do with the "Cabbala."

1592. Clement VIII issues a Bull forbidding both Christians and Jews from owning, reading, buying, or circulating the Talmudic and Cabbalistic books and other godless writings, whether written or printed, in Hebrew or in other languages, which contained heresies or assaults upon Christian doctrines or upon the practices of the Church. The possessors of such books were not to be excused on the plea that the texts had been expurgated or were to be expurgated. The authority extended by Pius IV for such expurgation was recalled. The substance of this Bull was printed in the Index of Clement issued in 1596. In the same year, however, Clement issued a brief permitting the use of certain specified rabbinical books, when they had been

[1] Graetz, ix, 39L.

verified as containing nothing directly antagonistic to the doctrines of the Church. In the Index of 1596, and in the succeeding Roman Indexes, stands a special provision concerning the book *Mazazor* (*Machsor*) which contains in part the offices and ceremonials of the synagogue. This is forbidden in any editions printed in the vernacular, that is in any language other than Hebrew.

1775. Pope Clement XIV issues an edict in which are cited the Bulls of Innocent IV, Julius III, and Clement VIII, and their prohibitions are confirmed. Rabbis and Jews generally were forbidden to possess copies of the Talmudic and Cabbalistic books and of any others which contained heresies or utterances against the Christian faith. No Hebrew books were to be bought or sold until they had been examined and approved by the *Magister Palatii* in Rome, or, outside of Rome, by the bishop or inquisitor. The penalty was a fine of one hundred scudi and seven years' imprisonment.[1]

[1] Reusch, i, 52.

CHAPTER IV

REGULATIONS AFFECTING BOOKS, FROM THE BEGINNING OF PRINTING TO THE DATE OF THE EARLIEST INDEXES 1450–1555

1. General.....1450-1560.
2. England.....1526–1555.
3. Netherlands.....1521–1550.
4. France.....1521–1551.
5. Spain.....1521–1551.
6. Germany.....1521–1555.

1. General.—The great impetus given to the distribution of books by the work of the printing-press had as one result a fresh effort at supervision and control on the part of the Church of literary production. The first measures that were put into shape for the enforcement of such control provided for what has been called preventive censorship, that is a requirement, before the printed book could be put into circulation, of an examination and approval by ecclesiastical authorities. It was, however, not until half a century after Gutenberg had printed his first book, that official cognisance was taken of the new art in a papal Bull.

1479. Sixtus V authorised the Rector and Dean of the University of Cologne to impose the penalties of the Church upon those printing, selling, or reading heretical works. This authorisation was confirmed by Alexander VI. In 1501, the printers of Cologne sent a representative to Rome to protest against the censorship

of the university authorities, which was driving their business out of the city.[1]

1480. There was published in Venice a *Nosce te ipsum* in which are printed four "approvals,"[2] and in the same year, a volume was printed at Heidelberg with a privilege from the Patriarch of Venice.[3]

1486. Berthold, Archbishop of Mayence, issues an edict prohibiting the printing in his diocese of any translation from Latin or Greek, or of any books in the vernacular, until the same had been approved by the heads of the four faculties in the University of Erfurt.[4] The ground for this prohibition was that a "number of works had recently been disseminated which contained heresies and errors," or which were printed under false titles, or which presented translations of the liturgies and Mass-books such as "were not fitting for the people."

The Bull of Innocent VIII, issued in 1487 and directed to the authorities of the University of Cologne, is described by Hilgers as the first general papal censorship regulation. "With the misuse of the printing-press for the distribution of pernicious writings, the regulations of the Church for the protection of the faithful enter of necessity upon a new period. It is certainly the case that the evil influence of a badly conducted printing-press constitutes to-day the greatest danger to society. This new flood is drawn from three chief sources. Theism and unbelief arise from the regions of natural science, of philosophy, and of Protestant theology. Theism is the assured result of what is called

[1] Hartzheim, *Podihomnus Hist. Univ. Col.*, 8.
[2] Grasse, *Lit. Gesch.*, iii, 317.
[3] Mendham, 13.
[4] Gudenus, *Cod. Diplom.*, iv, 469.

'scientific liberty.' Anarchism and nihilism, religious as well as political, may be described as the second source, from which pours out a countless stream of socialistic writings. In substance this is nothing other than a popularised philosophy of liberalism. The third source, the foulest and most pernicious of all, streams forth from the unwholesome romances of the day, romances whose creations rest on the foundations of pornography. If the community is to be protected from demoralisation, the political authorities must unite with the ecclesiastical in securing for such utterances some wise and safe control." [1]

1491. Niccolo Franco, Bishop of Treviso, and papal Legate to Venice, puts into print in Venice a "Constitution," which is described as the first printed regulation of the Church having to do with censorship. It is also noteworthy as containing the earliest prohibition of printed books. The Bishop states that he has evidence that the printers are bringing before the public works, tainted with heresy, which are likely to bring into peril the souls of believers. He feels that the responsibility rests upon him, as the representative of the Church, to withstand this evil. He therefore orders that hereafter no books shall be brought into print, having to do with matters of faith or of the authority of the Church, without the approval and permission of the bishop or vicar-general of the diocese. Whoever disobeys this injunction shall, without further action, come under the penalty of excommunication.[2]

Apart from the general injunction in this "Constitution," it contains a specific prohibition of the treatise on Monarchy by Antonio Roselli, and of the theses of

[1] Hilgers, 327.
[2] Mansi, *Conc.*, vi, 681.

Pico della Mirandola. Those who have printed or who may hereafter print these works, or who may have bought or come into the possession of copies, are ordered, under penalty of excommunication, to deliver such copies at once for destruction. Roselli was professor of law in Siena and later in Padua. His treatise *De Monarchia* had been printed in Venice in 1483 and in 1487. His name stands in all the Roman Indexes except in that of Trent, and thereafter with the proviso *donec corrigatur*. Pico escaped official classification as a heretic and no one of his writings finds place in the Index. In 1487, he had brought before the public no less than nine hundred theses which he was prepared to defend against all critics. The pope ordered an examination to be made of these theses (propositions) by a commission of theologians and jurists. The commission found that thirteen of the theses were tainted with heresy. Pico, while maintaining the orthodoxy of his propositions, expressed his readiness to submit himself to the judgment of the pope. Six years later, he was able to secure from Alexander VI a further examination, conducted by three cardinals and the *Magister Palatii*, and on the report of this commission, the pope declared Pico to be free from suspicion of heresy.

1501. Alexander VI, in a Bull entitled *Inter Multiplices*, addressed to the Archbishop of Magdeburg and to the rulers of the three ecclesiastical principalities, says: "The art of printing can be of great service in so far as it furthers the circulation of useful and tested books; but it can bring about serious evils if it is permitted to widen the influence of pernicious works. It will, therefore, be necessary to maintain full control over the printers so that they may be prevented from

bringing into print writings which are antagonistic to the Catholic faith, or which are likely to cause trouble to believers." The Bull proceeds to state that in the dioceses of Cologne, Mayence, Treves, and Magdeburg many books and tracts are being sent out from the presses which contain pernicious errors, wrong doctrine, and heresies; and prohibits, under pain of the excommunication *latae sententiae*, any further printing of such books, and also the possession or perusal of the same. The bishops and inquisitors are charged with the execution of the decree; and are ordered to enforce its provisions against all persons, whatever their rank or positions, and also against colleges, universities, and associations, with the threat that, in case of opposition or evasion, the penalties shall be sharpened and multiplied. The civil powers are to be invoked if necessary, and in order to strengthen the interest of the local authorities, they are to receive one half the amounts of the penalties collected in money. The above ordinance had to do only with the German provinces specified. Even at this early date, the city of Magdeburg appears to have secured repute for the production of heretical literature.

1512. The Inquisition of the Netherlands condemns as a heretic Magistrate Hermann of Ryswick, who is burned at The Hague together with his books. His name stands in the Index in Class I, although not even the titles of his heretical writings have been preserved.

1513. The "Constitution" of Leo X, issued in December, on the subject of the immortality of the soul, concerns itself with the misuse of the philosophers and poets of classic times for the undermining of faith and morality. The Pope emphasises the importance of purifying the roots or foundations of philosophy and

poetry as taught in the universities. In the third part of the Constitution, attention is given to the principles under which must be carried on the education of the young. It is essential that a careful selection be made for their use from classical writings so that only those books shall be brought to their knowledge which are free from immorality.

1515. Albert, Archbishop of Mayence, appoints Paul, Bishop of Ascalon, to be "Commissary" for the examination and censorship of books submitted for printing privileges. Bishop Paul and Canon Trutfetter were further instructed to act at Erfurt as inquisitors of heresy, and were authorised to prohibit the sale of bad and suspicious books.[1]

1515. Leo X, in a Lateran council of May 3d, issues the Bull *Inter Solicitudines,* which concerns itself in like manner with the service and the perils of the printing art. In this Bull, it is ordered that no work should be put into print until its text had been examined and approved by the authorities of the Church, in Rome by the papal Vicar or the *Magister Sacri Palatii,* elsewhere by the bishop or the inquisitor-general or by examiners authorised by them. The privilege to print must, however, bear the original signature of one of the higher officials. This signature must, under penalty of excommunication, be given without delay, and without consideration for a work not presenting ground for disapproval. (The Pope knew his officials and evidently realised what would be the risk and the tendency of the working of such a system.) Whoever may attempt to evade the regulation and may print books without a privilege shall forfeit for burning the books so printed, and shall pay 100 ducats

[1] Gudenus, iv, 589.

to the building fund of St. Peter's, and his printing office shall be closed for the term of one year. If he remain obstinate and unrepentant, he shall be excommunicated, and shall further be so chastened that others may take warning by the example. Before the issue of this papal Bull, certain local ordinances had been put into effect for the control of the printing-press in the centres where the new art was showing the greatest activity.

One Bishop, Alexius of Melfi, voted against this Bull, with the proviso *placet de novis operibus, non autem de antiquis.*[1]

This Bull of Leo X served as a model for a long series of future similar ecclesiastical orders. The fatherly care for the true faith and for the preservation of the morality of Christendom are, in the wording of this papal utterance, placed in the background, while the main contention is devoted to the assertion of the authority of the pope and of the special responsibility of the pope, as the immediate representative of God, for the maintenance of censorship throughout the world. The single German prince who was willing to confirm this Bull was the Elector Albert of Saxony. The enforcement of the regulations of the papal Bulls proved to be difficult and usually impracticable unless the aid could be secured of the machinery of the civil administration.

In the year 1513, began a series of attacks against Johannes Reuchlin, attacks which continued for seven years. Reuchlin's treatise *Der Augenspiegel*, which had been printed in 1511, was, in 1513, condemned as heretical by the Universities of Louvain, Cologne, Mayence, and Erfurt. In the year following, the theological

[1] Labbe, xiv, 257.

faculty of the University of Paris declared the book to be tainted with heresy.

It was ordered that existing copies (presumably those available in France) were to be burned and that the author was to be called upon to recant.

In 1513, at the instance of Jacob Hoogstraten, the Inquisition initiated a "process" against Reuchlin. The decision was adverse to Reuchlin, who appealed to the Pope (Leo X). Leo referred the matter to the Bishop of Speyer, who gave judgment in favour of Reuchlin, declaring that the book was deserving of being read by every one. There followed a series of appeals and of conflicting decisions. In June, 1520, however, Cardinals Accolti and Giacobazzi, whom the Pope had appointed judges, decided that the judgment of the bishop must be revoked, that the book was to be condemned and destroyed, and that Reuchlin was to be ordered to keep silence. While the *Augenspiegel* was still the text of the proceedings, the contest had now widened its range, and turned upon the whole relations of Reuchlin's work as a scholar and an instructor, and particularly upon his advocacy of the study of Hebrew. (In the *Augenspiegel* itself, the wisdom of preserving instead of destroying the *Talmud* is maintained.) Leo X spoke with approval of Reuchlin's writings and forbade their condemnation. In the Vatican Index the name of Reuchlin stands in Class I, all of his works being thus placed under condemnation. In the Index of Paul, are entered the *Augenspiegel*, *De Verbo Mirifico*, and *Ars Cabbalistica*, and these titles are repeated in the succeeding Indexes (excepting those of Louvain, 1546, 1550, 1558). In the Index of Benedict XIV (1758), the title of the *Augenspiegel* is, curiously enough, recorded only in French. The

compilers of the Indexes were evidently not influenced by the liberal views of Pope Leo.

1517. *Leo X*, in a special brief written by Sadoletus, condemns the *Epistolae Obscurorum Virorum.* The *Epistolae* first find place, however, in the Index in 1590.

1521. When the authorities of the Roman Church and the Catholic princes of Europe had become thoroughly aroused and alarmed by the development of Protestantism, the famous contract was entered into between Leo and the Emperor Charles V which was to repress the Reformation. One of the most important provisions in this contract had to do with the control of the press and placed at the disposal of the ecclesiastical censors the full measure of the imperial authority. With the publication of the Edict of Worms, we have the beginning of a general imperial censorship for Germany. From this time the Church and the State (or at least the Catholic portion of the State,) worked together against the freedom of the press, freedom which involved not only heresy against orthodoxy, but treason against the State.

About 1520, Nicholas Eymeric brought into print in Venice, under the title of *Directorium Inquisitorium*, a list of books classed as heretical. It does not appear under what authority this classification, or condemnation, had been arrived at, but the list proved of importance in the history of the Index, as the titles collected by Eymeric were utilised for the famous catalogue of Lutzenberg, which itself served as the basis for the Louvain Index of 1546. The Lutzenberg titles were also in large part copied by the compiler of the Index of Paul IV. No copy of the original issue of Eymeric's *Directorium* appears to have been preserved. The work

is known through the reprint issued in Venice in 1607, with the commentary by Franciscus Pegna.

The catalogue of Bernard Lutzenburg was printed in Cologne in 1520, under the title of *Catalogus Haereticorum.*

2. **Regulations in England in Regard to Book-Production and Censorship, 1526–1555.**—During the years covering the reign of Henry VIII, a series of royal edicts were issued for the regulation of heretical publications. The larger part of these edicts were framed in consultation with the convocation of bishops. Regulations issued under the sole authority of the bishops occur only after the rise of Lutheranism.

1521. Wareham, Archbishop of Canterbury, writes to Cardinal Wolsey asking that the names of the associates of Luther might be sent to the University of Oxford, in order that their writings might be added to the lists of prohibited books, and might also be included among the works the reading of which was to be permitted under special license to the scholars engaged in refuting the Lutheran heresies.[1]

1526. Wareham sends to Duvoisey, Bishop of Exeter, a mandate directing him to make search for certain English translations of the New Testament, which are "full of heretical pravity." The copies secured are to be burned. The mandate includes, in addition to this reference to the New Testament, the titles of certain writings by "Luther, Tyndal, Huss, and Zwingle."[2]

Fox makes reference to a similar instruction from Tonstal, Bishop of London, to the archdeacons of his

[1] Strype, i, 1, 254.
[2] Wilkins, *Concil. Mag. Brit.*, iii, 706.

diocese. Tonstal specifies the same titles as those given in the list of Wareham.

1526. Henry VIII orders the publication of a catalogue of forbidden books which appears to be the first of the English prohibitions and, if to be classed as an Index, would rank with the earliest of Europe. The catalogue contains but eighteen titles, comprising certain of the productions of Luther, Zwingli, and Brenz, the *In Oseam* of Huss, and four anonymous works. The editions referred to had been imported.[1]

1529. Henry VIII authorises the publication of catalogue number two, containing 85 works "imported by the adherents of heretical sects." The 85 titles include 22 by Luther, 2 by Wyclif, 11 by Zwingli, 9 by Oecolampadius, etc.

1530. King Henry forbids the reading of the Scriptures in the vernacular. In the proclamation, the King takes the ground that there is no necessity for the reading of the Bible by the common people. They can secure more safely from their religious instructors all the Scripture teaching that is profitable. When the peril of the spread of heretical opinions has passed, it will be in order to permit translations of the Bible. For the present, however, all copies of the versions in English, French, German, or Dutch are to be delivered to the bishop.[2]

1530. Henry VIII, in a proclamation, forbids the printing, importation, sale, or possession of books, whether printed or written, which contain doctrines antagonistic to the Catholic faith, or to the authority of the king, or to the laws of the land. The magistrates are instructed to take all measures necessary to root

[1] Blunt, i, 80.

[2] Wilkins, iii, 74.

out the heresies. The proclamation enumerates further certain serious heresies in the writings of English authors. The first of these, taken from *The Book of the Wicked Mammon*, is: "Faith oonley doth justifie us."[1] In a second royal proclamation of the same year, special prohibition is made of books printed abroad, all existing copies of which are to be delivered at once to the bishops.[2]

1531. A royal proclamation (of Henry), read at St. Paul's Cross, specifies thirty English works the selling and reading of which is forbidden.

1534. The convocation of Canterbury petitions the King to authorise the preparation, by well qualified persons, of an English version of the Bible, and to permit the use of the same by the people. The King took no action in the matter, but after 1535, several more or less complete translations came into publication, and in 1536, the Vicar General, Cromwell, ordered that in each parish church should be placed, securely fastened by a chain, a copy of the Coverdale Bible, in the large form, so that the faithful might become familiar with the text.[3]

1536. King Henry (who had been excommunicated in 1535) revokes the prohibition on the use of the Scriptures.[4]

1538. King Henry, in a proclamation, orders that the selling of books shall be done only under royal permit or privilege. No books shall be printed or imported without being examined and approved by examiners appointed by the Crown. Every printed

[1] Wilkins, *Concil. Mag. Brit.*, iii, 403.
[2] Dixon, *Hist. Ch. of England*, i, 34.
[3] *Ibid.*, i, 39.
[4] *Ibid.*, i, 40,

book must bear the name of the printer and also that of the author, translator, or editor. No English version of the Bible shall be printed without a permit from the King or from the Privy Council. The penalties are imprisonment and confiscation of property.[1]

1539. *King Henry* makes special prohibition, under heavy penalties, of the writings of the Sacramentarians and Anabaptists.

1543. *King Henry* again orders that the Scriptures in the vernacular be permitted only for the higher classes.

During Henry's reign, were published nine catalogues of books prohibited under the authority of the Crown. These lists have the character of Indexes, but the titles are not arranged alphabetically.

The first edition of Fox's *Acts and Monuments*, issued in 1539, contains a "list of Condemned Books," subjoined to certain "Injunctions." This list is omitted from the subsequent editions and is not included by Wilkins, who reprints the "Injunctions." The preamble to the list reads as follows:

"Hereafter folow the names of certen bokes, whiche, either after this injunction, or some other in the said Kinges daies, were prohibyted, the names of whiche bokes folowe in order expressed:

"Miles Coverdale, the whole Bible; George Joy; Theodore Baselle, alias Thomas Beacon; William Tindall; John Frith; Mels Coverdalle (bis); William Turner, translated by Fysh; Robert Barnes; Richard Tracy; John Bale, alias Haryson; John Goughe; Rederick Mors; Henry Stalbridg, otherwyse Bale; George Joy (bis); Urb. Regius; Apologia Melanchthonis; Romerani; Sawtrey; Luther, translated by Tindall."[2]

1546. *Henry VIII* (in the last year of his reign)

[1] Blunt, i, 92.

[2] Wilkins, *Concil.*, Fox, iii, 403.

issues a royal "Proclamation for abolishing of certain English books." The list repeats nearly the same names, and is followed by an instrument of the bishops, specifying at length the heresies to be condemned.

1547. Edward VI orders the publication of a list of homilies and books of worship, the use of which is made compulsory for church service. Every priest is instructed to make diligent study of the New Testament, both in Latin and in English, and to compare with this the Paraphrases of Erasmus. Bishop Gardiner remonstrated, pointing out that the homilies and the Paraphrases contradicted each other.[1]

1549. King Edward orders the exclusive use of the official Communion Book, and the bishops are instructed to cancel, in such manner that they cannot again come into use, the liturgies of Sarum, Lincoln, and York.[2] During Edward's reign, no royal action was taken in regard to censorship.

1555. Philip and Mary. In this year was issued a "proclamation by the King and Queen" "for the restraining of all Books and Writings, tending against the Doctrine of the Pope and his Church." The proclamation grounds itself upon a statute of the second year of Henry IV, and condemns, usually simply with the name of the author, a number of reformers, both foreign and English. Among the English works is included the Chronicle of Hall. The "Proclamation" bears the imprint of John Cawood.

1556. The papal Legate, Cardinal Pole, publishes a "Reformation-Decree" in which are included the regulations of the *Bulla Coenae.* It is further ordered that the bishops should arrange for the examination of

[1] Dixon, ii, 422. [2] Wilkins, iv, 37.

the booksellers' shops, and for the confiscation and destruction of all heretical writings.[1]

1557. an edict of the convocation of the province of Canterbury repeats and confirms the royal condemnation. In 1558 (the last year of the reign of Mary), is issued a further proclamation worded as follows:

"By the King and Queen.

"Whereas divers Books, filled with Heresie, Sedition, and Treason, have of late, and be dayly brought into this Realm out of foreign Countries and places beyond the seas, and some also covertly printed within this Realm, and cast abroad in sundry parts thereof, whereby not only God is dishonoured, but also an encouragement given to disoby lawfull Princes and Governors; the King and Queen's Majesties, for redress hereof, do, by this present Proclamation, declare and publish to all their subjects, that whosoever shall, after the proclaiming hereof, be found to have any of the said wicked and seditious Books, or finding them, do not forthwith burn the same without shewing or reading the same to any other person, shall in that case be reputed and taken for a Rebel, and shall without delay be executed for that offence, according to the order of martial law.

"Given at our Manor of Saint James the sixth day of June. John Cawood, Printer."

1558. Queen Mary, in a proclamation issued in this (the last) year of her reign, orders put into force the provisions of the *Bulla Coenae* and of the Fifth Lateran Council, and declares that all persons shall be treated as rebels and punished under the penalties of martial law who distribute or possess copies of godless or heretical books, such as have been wrongfully brought in from foreign lands. With the death of the

[1] Labbe, xiv, 736.

Queen, later in the same year, these orders were revoked by Elizabeth.

The author whose name appears most frequently in these English Indexes is William Tyndale (alias Hichins). His translation of the New Testament was first printed in Cologne in 1525, and was re-issued later in a great number of editions.

In 1563 was issued under the title of *The Acts and Monuments of the Church* a book generally known as Fox's *Book of Martyrs*. This work exercised probably a larger influence than any book of the century in completing the conversion of England from Romanism to Protestantism, an influence which continued through the following centuries.

1564. Queen Elizabeth instructs the Bishop of London to cause thorough examinations to be made of the cargoes of incoming ships, and to confiscate and destroy copies of slanderous and seditious books.[1]

1586. Whitgift, Archbishop of Canterbury, authorises a bookseller named Ascanius de Renialme to import copies of certain popish books, with the restriction that these copies are to be carefully reserved for the use of the Archbishop himself and of the members of the Privy Council.

It is to be noted that the censorship control in England over the productions of the press and the importation and sale of books was from the outset exercised under the direct authority of the Crown. The bishops were utilised for counsel and also, through the parish organisation of their dioceses, for the enforcement of the censorship and of the penalties. A little later, the machinery of the Stationers' Company, to which was given the practical control of the printing-

[1] Wilkins, iv, 250.

press, was employed for carrying out the policy of the Crown in the restriction of the works printed and for enforcing the regulations against delinquents. It is probable that these censorship regulations of the English Crown were carried out more effectively than was found possible for the similar regulations of the Church in France, in Germany, or in Italy. In Spain alone did the Church succeed in securing and for centuries in maintaining an absolute control over printing, publishing, and book-distribution.

1588. Queen Elizabeth issues a proclamation forbidding, under severe penalties, the printing of schismatic, seditious, slanderous, or fantastic works; existing copies of such works (the determination of their character appears to have been left to the bishops) must be delivered to the bishops for destruction.[1] Among the titles specified of seditious books thus to be destroyed is that of a pamphlet entitled *The Gaping Gulf*, which had to do with the scheme for the marriage of the Queen with the Duke of Anjou.

3. Regulations in the Netherlands for the Supervision of Books, 1521–1550.—Between the years 1521 and 1550, a series of ordinances for the regulation of the printing-press which were issued under the instructions of Charles V, were published in the form of placards throughout the Provinces. The regulations became each year more severe. These ordinances were confirmed and strengthened by Philip II.

1522. Charles V gives a special permit to Franz van der Hulst to possess and to read books by Luther and by other heretics, for the purpose of refuting their heresies. The regulations and orders above specified are, it may be noted, issued under the sole

[1] Wilkins, iv, 340.

authority of the Emperor. There is no reference to the *Bulla Coenae* or to any other papal utterances. The prohibitions concerning literature issued by the theological faculty of Louvain are based upon the authority and instructions not of the pope, but of the Emperor. With the introduction into the Netherlands of the Inquisition, however, the pope begins to take part in the supervision of literature.

1522. Charles V appoints Van der Hulst as Inquisitor. He is confirmed by Adrian VI with the proviso that, as Van der Hulst is a layman, he must have two ecclesiastics as assessors. The succeeding inquisitors, who were all ecclesiastics, were in like manner appointed by the emperor or by the stadtholder and confirmed by the pope. Several of the edicts of Charles contain prohibitions of special books.

1524. An ordinance orders the delivery, for destruction, of copies of heretical books, under penalty of confiscation of goods and corporal punishment. In 1526, was added the penalty of banishment, and in 1529, that of death.

The reports of the time speak of frequent bonfires of masses of confiscated books. In 1526, it was ordered that no book should be printed or imported without a permit from the imperial commissioner. The penalty for delinquents was banishment and confiscation of one third of their property.[1]

1524,—March. An imperial edict states that, notwithstanding the previous edicts forbidding the sale of heretical books, certain printers are again bringing before the public reprints of these with the excuse that they do not bear the name of Luther but are issued under such titles as *Evangelium* or *Summa Theologiae.*

[1] *Kerkh. Archief.*, i, 10.

Specially forbidden are an edition of the *Gospel of St. Matthew* with notes by Johann Pelt, and a treatise by the same author called *The Sum of Godliness.*

1526. An imperial edict orders to be confiscated and burned all copies of writings of Luther, Pomeranus, Carolostadius, Melanchthon, Oecolampadius, Lambertus, and Jonas, and of versions in the vernacular of the Gospels and Epistles and all books which support the Lutheran doctrine.

1529. It was ordered that, while all books required a permit from the Crown, those dealing with matters of faith must also be approved by the bishop. Whoever prints an heretical book is to be exposed on a scaffold and then branded by a hot iron with the mark of the cross, or he is to lose either an eye or a hand.[1]

1529. An imperial edict prohibits the printing, distribution, possession, etc., of the writings of Luther, Wyclif, Huss, Marsilius, Oecolampadius, Zwingli, Melanchthon, Lambert, Pomeranus, Brunfels, Jonas, and all other "sectarians"; also the Testaments as printed by de Berghes, von Redmonde, Zell, and others, which had been condemned as heretical by the faculty of Louvain, all books printed during the past ten years which did not bear the name of author and name and address of the printer, and finally all pictures tending to bring dishonour upon the Virgin or the Saints.

1540. An imperial edict prohibits a much longer series of books, the list including, in addition to the Lutheran writers, histories of Germany, and editions of certain books of Aristotle, and a number of issues of the Scriptures. The lists in these earlier prohibitions were evidently utilised later in the Indexes of

[1] Reusch, i, 99.

Louvain, as some of the misprints of names are repeated.

Reusch mentions that the city of Antwerp secured as a privilege from the emperor an order forbidding the arrest within its walls of any printer or bookseller. In cases in which the regulations had been disobeyed, the delinquents were safe from arrest unless they could be enticed outside the city.[1]

1546. It is ordered that the record of the permit must be printed in each copy of the book, and before copies can be offered for sale the printed text must be compared with that of the manuscript as approved.

1550. It is ordered that if a book has been printed without a permit, but is found on examination to contain nothing pernicious, the printer is simply condemned to banishment for life, first making payment of a fine of 300 *caroli.* The possession or the reading of heretical books was in itself sufficient evidence of heresy. A person found guilty of heresy was permitted, for a first offence, to purge himself of his sin by recantation. If the delinquent persisted in his heresy, the penalty, under the edicts of 1529 and 1531, was for men, beheading, for women, burial alive. Heretics who had recanted and later relapsed were burned.[2]

4. Regulations in France, 1521–1551, concerning the Production and the Use of Books.—It was the case in France as in England that the control of the supervision of the printing-presses and of the business of book-distribution rested from the outset with the Crown; and that as far as regulations were framed by the theological faculty of the Sorbonne or by the

[1] Reusch, i, 100.

[2] *Ibid.* i, 100.

bishops, this was done under the authority and instructions of the king. In France, however, another division of the temporal power, namely, the Parliament of Paris, undertakes from time to time the publication of regulations for the control of the press, or for the prohibition of books already in print; but by the close of the 16th century this independent action on the part of the Parliament comes to an end; Thereafter the orders concerning books are based on the sole authority of the king, and are, as a rule, issued by the royal chamberlain.

1521. Francis I issues an edict, framed at the instance of the University of Paris, prohibiting the printing of any new works, either in Latin or in French, having to do with matters of faith or with the Scriptures, until the texts had been examined and approved by the theological faculty.[1]

1528. A Provincial Council, held at Sens, acting under the instructions of the King (Francis I), issues a decree forbidding the possession of copies of the writings of Luther and his followers. There is also a prohibition of the reading or the circulation of any works on religious subjects which do not bear record of a permit from the bishop.

1528. A Provincial Council at Bourges issues a decree which is in its wording precisely identical with the above. It is probable that they were both prepared in Paris.

1530. The King gives orders for the appointment of certain inquisitors of literature. The first group comprises two magistrates selected from the Parliament of Paris, and two divines selected by the College of the Sorbonne. This commission bears, in addition

[1] Jourdain, *Index chronol.*, Chart No. 1594.

to the authority of the Crown and the instructions of the Parliament (which is, it must be borne in mind, a high court of justice), an instruction from the Archbishop of Paris to take measures for the repression of heretical literature. The lists of the prohibited and of the permitted or privileged books were published under the authority of the officials of the Parliament by the guild of printer-publishers. The scholarship of the divines of the Sorbonne was called upon by the Parliament for the determination of questions of heresy in doctrinal and religious works, a course which had the natural result of bringing upon the college an increasing measure of influence in the shaping of the Indexes and in the control of book-production.

1542. The Parliament of Paris issues an order prohibiting the printing of any book without the approval of the rector of the university and the deans, and directing the rector to appoint two members of each faculty to conduct the examination of the books submitted. It was added later that, for Bibles and works of religion, the signatures of not less than four doctors of divinity were to be required. In the same year, it was ordered that all bales of books arriving in Paris must be opened in the presence of four of the certified book-dealers (*libraires jurés*) and examined by the divines appointed by the rector. The examiners were to supply to the royal procurator a list of the books the sale of which was authorised. The selling of any books the titles of which were not included in the list, was forbidden under severe penalties.[1]

1542 The Parliament of Paris issues an order to the Sorbonne to prepare a catalogue of prohibited books. No copies of this catalogue have been pre-

[1] Jourdain, No. 1753.

served, but the Paris collection contains a copy of the supplement issued in March, 1543. This presents sixty-five titles, put together without any order, chiefly of works by well-known German and French reformers, printed in Latin and in French, together with a few anonymous French books. This catalogue, while the work of scholarly compilers, is described by Reusch as full of blunders.[1]

1544. *The Faculty of the Sorbonne* issues an alphabetical catalogue of all the books which it had thus far condemned.

1547. This catalogue is reprinted with a supplement of forty-seven titles, the last Index compiled under the direction of the college.

1548. *The Inquisitor of Toulouse, Vidal de Becanis,* places his "privilege" on an Index the names of the compilers of which do not appear. The introduction denounces as heretics the persons who, during the past three years, have read, possessed, bought, sold, bound, or printed the books specified in the following lists; and condemns to excommunication all who, after the publication of the Index, fail to deliver for destruction existing copies, or who protect persons concealing copies. The catalogue contains ninety-two titles, which are in their wording badly confused and misprinted. A few instances are cited byFréville:

Martini Lutheti (for Luther); Vulpici Zironga (for Zwingli). Of twenty-one authors, the complete works are condemned, etc. For Erasmus, the list covers seventeen titles. The prohibition covers Latin or French Bibles or Testaments, and the possessors of such are to be denounced.[2]

[1] Reusch, i, 147.

[2] Fréville, *La police des livres du 16ieme siècle.* Paris, 1853.

1551. *Henry II*, in an edict issued at Chateaubriand and duly recorded in Parliament, prohibits the importation of any books printed in Geneva or in any other towns which had fallen away from the Church. No books recorded in the prohibited lists of the Sorbonne could be printed, sold, or owned. Only those persons were permitted to possess copies to whom had been given canonical permission for the reading of heretical works. The printers must record their names and their work could be carried on only in certain specified places. Bales of books coming in from abroad must be opened in the presence of two deputies from the theological faculty or of two magistrates. Twice a year, these same deputies must inspect the bookshops. In Lyons, which was a great dépôt for imported books, the shops were inspected not less than three times a year, the inspectors including the archbishop and the seneschal. Every bookshop must carry in evidence a copy of the prohibitory catalogue of the Sorbonne, and corrected lists of the books in stock. Colporteurs (*porte-panniers*) were not permitted to sell books, their printed stock being restricted to broadsides or single sheets.

1551. *The Parliament of Paris* orders the reprinting, with additions, of the Sorbonne Index of 1544. The compilers of this appear to have done their work without reference to that of the editors of the Louvain Indexes. The Paris lists were utilised both in Venice and in Rome. In the reprint of the supplementary Index of 1547, the introduction speaks of the united efforts of the king, the Parliament, and the faculty of the Sorbonne to protect the realm against the pernicious assaults of heretical literature.

Reference is made to the insidious forms in which heretical teachings are presented, in anonymous books, in volumes bearing no name of publisher or printer, or place of imprint, in volumes bearing, falsely, the names of orthodox Catholic writers. A book full of heretical blasphemies had, for example, been issued under the title of *Confessio Fidei per Natalem Bedam* (possibly meant for the Protestant Doctor Noel Beda). Another "godless treatise" is called *Proverbia Salomonis*, etc.[1]

Among the authors whose works appear in these Paris Indexes may be noted the following: Erasmus, Jo. Ferus, Polydorus Vergil (editions of whom had been issued by Stephanus), Louis de Berquin, Estienne Dolet (who was executed for heresy in 1556), Faber Stapulensis, Beda, François Rabelais, a "Benedictine monk who finally became pastor at Meudon." One would hardly recognise under this catalogue description the creator of Gargantua and Pantagruel, while it is not at all surprising that the narrative of the doings of these two world's heroes should have been found deserving of a place on the Index. The book of Pantagruel, which was first printed anonymously in 1533, was reprinted in 1546 with the name of its author, It was placed on the Index of the Sorbonne in 1553, and in the same year was condemned in the official list of the Parliament. In 1554, however, at the instance of the Cardinal de Châtillon, Henry II cancelled the prohibition. In the Roman Index, Rabelais stands in the first class, but is recorded under the term "Rabletius."[2]

The various editions of the Scriptures brought

[1] *Arg.*, ii, a, 164, 167. [2] Maittaire, ii, 220.

into print by Robertus Stephanus (Estienne), many of which included notes and commentaries by the scholarly publisher, were all condemned by the Sorbonne as heretical. As long, however, as Francis I lived, the condemnation was not put into force. These Bibles also find place in the Louvain Index of 1546, which was reprinted in Paris in 1548 under the instructions of the Sorbonne. In 1548, the opponents of Stephanus were able to secure from Henry II an order for the enforcement of their censorship of his Bibles. The publisher thereupon migrated to Geneva, and was able in his masterly retreat to carry with him across the frontier his fonts of type and some portions at least of the editions of the Bibles and other offending books which had been ordered to be delivered to the officials of the Sorbonne for their burning.

1557. Francis I arranges with the Pope, Paul IV, for the appointment as Inquisitors-General of the Cardinals Lorraine, Bourbon, and Châtillon, to whom was confided the supervision, under royal authority, of the inspection of books.

1559. The Parliament orders all those possessing doctor's degrees to report to the faculty of the college the titles of heretical or suspicious books.

1562. The Parliament again orders the college to compile an Index, but the work was never completed.[1] Under royal edicts, the prohibitions in the catalogues of the Sorbonne were made binding on all citizens. A further evidence that the final authority in the matter of censorship was retained by the State, is the order issued in 1546 by Francis I that the Bibles of Robert Estienne were not to be included in the Sor-

[1] *Arg.*, ii, 301.

bonne Indexes. Another example is a notice which Espencé had succeeded in having attached to the orders of 1547, directing that the prohibition should not be enforced in the case of two books the titles of which were already on the list of books condemned by the Sorbonne. The Index of 1544 comprises five divisions: *a*, works in Latin, by known authors, arranged alphabetically; *b*, anonymous works in Latin; *c*, works in French by known authors; *d*, anonymous works in French; *e*, French versions of the Scriptures. The lists include no writers of whom all the works are condemned (Class I of the Roman Indexes). Among the better known names may be mentioned: Erasmus, Faber, Ferus, Peter Martyr, Wyclif, Huss, Corvinus, Osiander, etc. An introduction to the fifth part emphasises the peril of placing in the hands of simple and unscholarly readers versions in the vernacular of the Scriptures, and refers to the evil results produced with such heretics as the Waldenses, the Albigenses, and the like.

In 1562, there is record of the seizure at some French port by M. de Bourbon of a collection of wine casks packed with books which had been sent from Germany, and which Bourbon found to be of the "most distressing character." These books the lieutenant consigned to the flames, having apparently taken the responsibility of himself acting as censor.[1]

1577. Henry III issues an edict modifying, in behalf of the Protestants, the regulations of the edict of Chateaubriand. No books are to be sold without the permit of the local magistrates, or as far as concerns the works of the adherents of the so-called reformed

[1] *Letters from the Nuncio of Pius IV at Paris*, i, p. 111.

religion, without the approval of special commissioners to be appointed by Parliament.

5. Regulations in Spain, 1521–1551, concerning the Production and the Use of Books.

1521. March 20. Leo X, in a brief addressed to the High Constable, the Admiral of Castile, and Cardinal Adrian (who constituted at the time the government of Spain), orders that measures may be taken to prevent the importation into the country of the pernicious writings of Luther and his followers. The cardinal issues an order in the same year for the confiscation and destruction of all such works.

1522. Cardinal Adrian issues a second order, calling for the delivery for destruction of all books by the Reformers of Germany, under severe penalties for persons withholding or concealing copies. Before the close of the same year, Adrian becomes pope.

1530. Manrique, Archbishop of Seville, and Inquisitor General, confirms the ordinance of 1521, with some sharpening of the penalties for non-obedience. He cautions the faithful that certain Lutheran books are being circulated under false titles and that pernicious Lutheran notes have been printed in editions of works by good Catholics. The inquisitors are ordered to search libraries and book-shops. The authority to give permits for the printing of books is placed in the hands of the higher Council of the Inquisition.

1531. The Inquisitor General authorises the inquisitors to excommunicate persons who disregard the regulations, who possess or read copies of such books, or who fail to denounce others.

1541. The Inquisitor General prohibits the inquisitors from granting permission for the possession

or reading of forbidden books. Even the Counsellors of the Inquisition (under whose advice the lists of heretical books were prepared) are forbidden to read the same.[1]

1543. *Charles V* issues an edict for the control of books, etc., in his American possessions. The printing, the importation, and the reading of novels and romances is forbidden.

1550. *The Bull of Julius III*, recalling all outstanding permissions for the reading of forbidden books, is published as authoritative for Spain.

1550. *Charles V* orders that the book-dealers in Seville must make registry before a royal official of the titles of all books planned for export to the colonies and must take oath that the schedules contain nothing prohibited.

1556. *Philip II* forbids the printing of any works about America until a permit has been secured from the Indian Council.[2]

6. Regulations in Germany concerning Books, 1521–1555.

1521, May 8. *An edict of the Emperor* (*Charles V*) forbids the printing, selling, buying, owning, copying, or reading any of the writings, already condemned by the pope, of "that stubborn heretic Martin Luther," and any further works that said Luther may produce. The prohibition is made to cover also all other books, tracts, and pictures which are antagonistic to the Faith of the Church and to good morality, and all writings which are designed to bring into disrepute the pope, or the other dignitaries of the Church, or princes, universities, members of faculties, or other persons of repute. The penalties are those previously

[1] Llorente, i, 463. [2] *Ibid.*, i, 467.

ordered by the Church, the ban and the interdict.[1] It is further ordered that thereafter no one shall print or sell books having to do with the Bible, or with matters of faith, without a specific permit from the bishop or from the theological faculty of the proper university. The responsibility for the framing of this imperial ordinance rested with Aleander.[2] This Edict of Worms secured acceptance and enforcement only in certain portions of Germany.

1523. The Imperial Diet of Nuremberg, in place of making full confirmation of the Edict of Worms, simply orders that no new writings shall be printed or sold until they have been tested and approved by trustworthy men. The printing and selling of libellous books (*libelli famosi*) is forbidden under heavy penalties.[3]

1530. The Diet of Augsburg receives, through Campeggio, a brief from Pope Leo ordering strong measures to be taken for the enforcement of the Bull and of the provisions of the Decree of Worms against Lutheran writings. The Pope calls for imperial regulations to secure the destruction of all copies of such books together with the punishment of all persons concealing copies, and the rewarding of those who give information of concealed heretical books. The Diet declines however to do more than to renew the regulations for the examination of books to be printed and the licensing of those that can be approved.[4]

1549–1550. A Provincial Synod held at Cologne under the instructions of the Archbishop, Adolphus von Schauenburg, issues an edict for the protection

[1] Ranke, *Deutsch. Gesch.*, i, 341.
[2] Friedrich, 143.
[3] Le Plat, ii, 162.
[4] Hoffmann, *Gesch. der Bücher-censors*, 67.

more particularly of "simple and unlearned pastors who are not competent to distinguish pernicious literature from sound teaching," forbidding all the faithful under penalty of the Anathema, from reading the works of Luther, Bucer, Calvin, Œcolampadius, Bullinger, Lambert, Melanchthon, Corvinus, Sarcerius, Brentius, and some dozen other heretical writers. The edict promises the publication shortly of a comprehensive catalogue of heretical and pernicious literature, but such catalogue was never prepared. This preliminary list may be classed as the first German Index of prohibited books, the next in order of date being that published in 1582, in Munich.

1555. The Augsburger Pact provides that the penalties specified in the papal regulations concerning books, etc., are to be enforced only in the territories classed as Catholic.

1570. The Diet of Speyer orders that printing offices are to be licensed only in imperial cities, court cities, and university towns and each printer must be duly placed under oath (*vereidet*) to uphold the imperial regulations.[1] The Imperial Police Regulations repeat the instructions of the Diet of Augsburg, with the modification that nothing was to be printed contrary to the Christian religion or to the Religious Pact of Augsburg.

[1] Hoffmann, 77

CHAPTER V

PAPAL CENSORSHIP BEFORE THE INDEXES

1. Earlier papal utterances concerning the writings of the Reformation ..... 1487–1521.
2. The Bull *Coenae Domini* ..... 1364–1586.

1. Earlier Papal Utterances Concerning the Writings of the Reformation, 1487–1521.

1487. Papal Bull. In 1487 was issued the first papal Bull having to do with the productions of the printing-press. It is entitled: *Bulla S. D. N. Innocentii contra Impressores Librorum Reprobatorum*, and was addressed by Pope Innocent VIII to seven "governments" as follows: Romana, Curia, Italia, Germania, Francia, Hispania, Anglia, and Scotia. The opening paragraph reads: "And, therefore, we who hold on earth the place of Him who came down from heaven to enlighten the minds of men and to disperse the darkness of error," etc.

1516. Council of the Lateran. The fifth Council of the Lateran, assembled in Rome, in 1516, under Leo X, adopted, with but one dissenting voice, a papal constitution which recited the injury to faith, morals, and public peace arising from the increasing number of books containing doctrines contrary to religion, or libellous attacks on individuals. It was ordered that thereafter no books should be printed without a preliminary examination and license. In Rome,

the authority rested with the papal vicar and with the master of the palace and elsewhere with the bishop and inquisitor. The duties of censorship were thus shared between the bishops and the Inquisition. The former, as a rule, were engrossed with temporal cares and were negligent, and as Lea points out, there is no trace of their discharging in Spain the functions thus imposed on them. The inquisitors were active and aggressive, eager to extend their jurisdiction, and they formed the most convenient instrumentality to be utilised by the Church and the State for curbing the licentiousness of the press.[1]

1518, August 9. Hieronymus, Bishop of Ascoli and Auditor of the Apostolic Chamber, who had been charged by the pope with the investigation of the case of Luther, ordered Luther to report to Rome. Later, the papal Legate, Cardinal Thomas de Vio (Cajetanus), was ordered to give a hearing to Luther, with the further instruction that if Luther were recalcitrant he was to be arrested. In case he evaded arrest, he and his supporters were to be excommunicated, and the places in which he secured protection were to be placed under interdict.[2] These instructions were in the main based upon alleged heresies contained in the treatises and propositions that Luther had, up to that date, brought before the public, although these treatises were not referred to by name.

1518, Nov. Pope Leo issues a Bull addressed to Cardinal Cajetan on the subject of absolution. In the Bull, Luther's name is not mentioned.

1519. The Theological Faculties of Cologne and Louvain condemn a collection of Luther's writings

[1] Lea, 26.
[2] Köstlin, *Luther*, i, 228

(which includes the ninety-five theses and the sermons on absolution, etc.) and order all copies to be burned.

1520, June 15. Leo issues the Bull *Exurge*, in which the Pope states that, after careful consideration with cardinals and other theologians, he pronounces to be heretical, false, and pernicious, forty-three propositions contained in the writings of Martin Luther; —and therefore are condemned all books, tracts, and sermons of said Luther, and all citations from the same. It is forbidden to print, sell, distribute, read, or possess copies or to quote them, and all existing copies are to be burned. The penalty for disobedience is excommunication *latae sententiae.*

1520, July. Pope Leo in a brief to Cardinal Albert, Archbishop of Mayence, calls attention to the pernicious and shameless writings of Ulrich von Hutten, which were being put into print in Mayence in the immediate neighbourhood of the bishop's palace, and orders the Cardinal to take strong measures for their suppression. The Archbishop replies that he has put the printers in prison, but that he can do nothing against the author, who is securely entrenched in his castle with a strong body of retainers. The work chiefly complained of was the treatise *De Unitate Ecclesiae.* This appears in the Index of Paul IV, and in the succeeding Indexes.

1521, Jany. 3. Pope Leo issues the Bull *Decet Romanum Pontificem*, confirming the penalty of excommunication for Luther and his followers.

1521. The Faculty of the Sorbonne publishes a similar condemnation.

1521, April 18. Pope Leo sends a brief to Cardinal Wolsey directing him to carry out the orders for the burning of copies of Luther's writings. The Cardinal

had evidently delayed the promulgation of the Bull *Exurge*. The Pope sends Wolsey a copy of Luther's treatise on the Babylonian captivity, with the remark that not only the book but the author ought to be burned. Thereupon Wolsey, in his capacity as legate, after consideration with the Archbishop of Canterbury, and with the approval of the king, orders the destruction of all copies of Luther's writings to be found in England.[1]

1520, June 12. *Pope Leo* orders a formal burning in Rome of the available copies of Luther's writings. With these was burned an effigy of Luther himself.

2. The Bull Coenae Domini, 1364–1586.—The Bull of the Lord's Supper presents a collection of the various excommunications which had been ordered by successive popes against certain specified classes of persons, and also against certain individuals on the ground of heresy. In its original wording, it dates from Urban V in 1364,[2] but the form in use through the period of the Reformation was given by Julius II in 1511. Less important changes were made by later popes. Julius II specifies as under excommunication a number of heretical sects, including the Wyclifites or Hussites. The schedule reads: *Patarenos, Pauperes de Lugduno, Arnaldistas, Speronistas, Passagenos, Wiclifitas seu Hussitas, Fraticellos de Opinione nuncupatos, et quoscumque alios haereticos ac omnes fautores.*[3]

1517. *Leo X* prohibits, under penalty of the *ex latae sententiae*, the further printing of the *editio princeps* of the first five books of the History of Tacitus, which

[1] Blunt, *Ref. of the Ch. of Eng.*, i, 81.
[2] Bull I, 264.
[3] *Ibid.*, 507.

had been published by Philip Beroaldus in 1516, under a Milan privilege.

The conclusions of the Casuists in regard to the effect of the prohibitions in the *Bulla Coenae* are summarised as follows by Ferraris[1]: In order that the reading of a book shall bring upon the delinquent the threatened excommunication,

1st. The book must be the production of an actual heretic (not merely of one not baptised, or of a Catholic who through heedlessness or ignorance has given utterance to heresy);

2d. It must contain a heresy, or must have to do with religious matters;

3d. The reader must have knowledge that the book is the work of a heretic, and contains heresy or treats of religion;

4th. The reading must have been done without the permission of the Apostolic Chair;

5th. The reading must be sufficient in amount to constitute a mortal sin. This amount has naturally been variously defined, so as to cover the entire work (Sanchez) or a single page, or two lines (Toletus).[2]

A Bull of Pius IX makes some modification in these regulations. The excommunication (reserved as papal) comes into effect through the reading of works which are written by heretics or apostates, or which present or defend heresy. But this would not exclude weekly or daily periodicals which might in some of their columns contain pernicious matter. Books produced by writers outside of the Church are held as less pernicious than the works of Catholics who have become Free-Thinkers, Rationalists, or

[1] *Promta. Biblioth: s. v. Libri Prohibiti*, n. 27

[2] Gretser, *De Jure Prohibendi*, Opera xiii, 97.

Spiritualists, and who are, therefore, to be classed as apostates.[1]

From the middle of the 16th century, there are instances of public protest and of action on the part of political rulers against the promulgation of the *Bulla Coenae* or the enforcement of its penalties. In 1536, a commentary by the jurist Pierre Reboeuf on the Bull was confiscated in Paris. In 1551, Charles V prohibits the printing of the Bull in Spain. In 1568 Philip II confirms this prohibition, and asks the pope to recall the Bull as far as Spain was concerned. In 1570, the publication of the Bull is forbidden in Naples. In 1568, the Senate of Venice forbids the publication; but in 1570 the Council of Ten permits the reading of the Bull in the churches on Maundy Thursday. In 1582, Philip II prohibits the publication in Portugal. In 1580, Henry III prohibits the publication in France. In 1586, Rudolph II prohibits the publication in Bohemia, Moravia, and Silesia.

1524. Adrian VI adds "and Martin Luther, and all who read, listen to, distribute, or possess his writings, or defend the teachings in the same."

1536. Paul III, in a reissue of the *Bulla Coenae Domini*, adds the words: "We excommunicate and anathematise . . . all heretics, the Kathareni, the Patareni . . . who are followers of the godless and abominable heresies of Martin Luther, condemned by Leo X, and all who favour or protect him in any way, and all who read or distribute the writings of said Martin."

1583. Gregory XIII, in a Bull issued April 4th, modifies this *Passus* to the form which is followed in the later Bulls:

[1] Avanzini (13).

"We excommunicate . . . all Hussites, Wyclifites, Lutherans, Zwinglians, Calvinists, Huguenots, Anabaptists, (anti)-Trinitarians, and all heretics of whatever name or sect, and their followers (*eorum credentes*) and protectors, and all those who print, distribute, possess, or read the writings of these heretics, or any books which attempt to undermine the authority of the Apostolic Chair," etc.

Since Julius II (1503) it is ordered[1] in the Bull that it shall be formally promulgated by all bishops once each year. Gregory XIII directs all pastors and confessors to keep copies for diligent study. The day selected is usually the Thursday before Easter (Maundy Thursday).

The excommunication which is made applicable to heretical writings is, for the most part, the *excommunicatio major*. This excludes the condemned from the Sacraments, and from the holding of office (as under the *excommunicatio minor*), and also excludes from public worship and from burial in consecrated ground; while it involves the loss of legal rights. It is also, as a rule, *latae* (instead of *ferendae*) *sententiae*, that is, its authority goes into effect at once, as a necessary result of the sinful action, and without the requirement of a judgment.[2] The Jesuit Faure states that, in the earlier ages of the Church, the *censura latae sententiae* was ordered but seldom, but since the 13th century, the instances of its use had very largely increased, and (in connection with the supervision of publications) had become almost a routine.

1770. Clement XIV orders that the yearly publication of the Bull be discontinued, but the Bull itself was not recalled or modified.

[1] Bull II, 496.
[2] Schulte, *Lehrbuch*, 70.

1869. Oct. *Pius IX* issues a Bull recalling or modifying certain of the provisions of the *Coenae Domini*.[1]

Peignot (writing in 1806) speaks of this as "an inconceivable Bull rejected by France and by nearly all of the Catholic States and very properly condemned to eternal oblivion." He goes on to say that "Rome no longer lays claim to the chimerical right of disposing crowns and of controlling kings. It is to-day more sparing of those invisible thunder-blasts which in times past have caused sovereigns to tremble."[2]

Cardinal Erskine, speaking in 1815, declares the Bull to be "implicitly in vigour in all its extension," and defines it as a "public declaration to preserve the rights of the Pope." Dr. Sleven, the Prefect of the Dunboyne Establishment, speaking in 1826, states that "the publication of the Bull during the coming year is something entirely within the option of the Pope."[3]

Count Ferdinand dal Pozzo, a Roman Catholic, writing (in Vienna) in 1825, says: "The reading of the Bull, originally ordered for every year at Rome on Holy Thursday (Maundy Thursday), was suspended by Clement XIV, to avoid giving offence to crowned heads." Mendham,[4] in quoting dal Pozzo, points out that the Bull itself (which, he says "contains a series of the most absurd pretensions) was not revoked. Permission is still granted to absolve in the cases reserved in this Bull."

[1] *Constitutio S. D. N. Pii IX.*
[2] Peignot, xxv.
[3] Mendham, 260.
[4] *Ibid.*, 261.

CHAPTER VI

THE ROMAN INQUISITION AND THE CONGREGATION OF THE INDEX.

1. **The Institution of the Roman Inquisition, 1542.**—The year 1542 marks the beginning of formal regulations framed in Rome itself for the suppression of heretical literature and for the supervision and control of the work of the printers. The English catalogues of 1542 and later, and the edicts of Charles V, published between 1526 and 1540, while having for their expressed purpose the maintenance of the doctrines of the Church, were issued under the authority of the State. These earlier censorship measures do not appear even to have been the result of any direct initiative or suggestion from Rome. It may be remembered, indeed, that the *Bulla Coenae* presents, in its successive forms, a very forcible expression of the policy of the Church in regard to the spread of heresies through literature and of the intention of controlling the production and distribution of books, and this Bull in its original form (as issued by Urban V in 1364) antedates the operation of the printing-press by nearly a century. But the formulation of the measures by which the fight against this perilous ally of heresy was to be carried on, had to wait for the reorganisation, in 1542, of the Roman

Inquisition, which reorganisation was the direct result of the revolt of Luther and his associates.

In the present study, I am concerned with the Inquisition only in so far as this was brought into direct relations with the work of censorship. The Inquisition as an institution was not brought into existence at any one date but had a gradual development. Lea refers to the

> "gradual organisation of the Inquisition as being the result of an evolution arising from the mutual reaction of certain social forces. The triumph of the Church in the suppression of the Albigensian crusades had increased its responsibilities, while the imperfection of the means at its command for discharging these responsibilities was evidenced by the enormous spread of heresy during the 12th century."[1]

The responsibility for the discovery and the control of heresy had from the earlier years of the Church rested in the hands of the bishops. For many years after the central authorities undertook to exercise a direct control over heresy and heretics by means of inquisitors appointed from Rome, the bishops continued to enforce their own jurisdiction in the matter of the trial of heretics, sometimes apart from the inquisitors and sometimes in conjunction with them. The spiritual courts which came to be attached to their episcopates, and which exercised exclusive jurisdiction over a constantly widening jurisprudence, arose gradually during the troubles that followed the division of the Carlovingian empire. All errors of faith and charges of heresy necessarily came within the purview of these spiritual courts.[2] Following in the traces of

[1] *Inquisition in the Middle Ages*, i, 305
[2] *ibid.*, i, 309.

the civil law, there were in these spiritual courts three forms of action in criminal cases: *accusatio*, *denunciato*, and *inquisitio*. In *accusatio* there was an accuser who formally inscribed himself as responsible and who in case of failure was subject to the *taglio*. *Denunciatio* was the official act of a public officer, such as the archdeacon, who summoned the court to take action against the offenders coming within his official knowledge. In *inquisitio*, the Ordinary arrested the suspected criminal, imprisoning him if necessary. The indictment, or *capitula inquisitionis*, was communicated to him and he was interrogated thereupon with the proviso that nothing extraneous to the indictment could be subsequently brought into the case to aggravate it. The verdict was finally given by the Ordinary. The first inquisitors may be considered as in a measure successors to the *Missi Dominici* of Charlemagne, officials commissioned to traverse the empire making inquisition into all cases of disorder, crime, and injustice. We find in Verona, in 1228, "inquisitors" and "manifestors" employed by the State for the "detection and punishment of blasphemy."[1] Under Clement, the bishops were ordered to make diligent visitations throughout their dioceses investigating all offences, and with the growth of ecclesiastical jurisdiction, this inquisitorial duty was perfected and organised. In 1227, the Council of Narbonne commanded all bishops to institute in every parish *testes synodales* who should investigate heresy and other offences.

The popes had endeavoured to overcome episcopal indifference to the matter of heresy by a somewhat irregular "Legatine Inquisition." It would appear,

[1] Lea, i, 311.

however, as if up to the beginning of the 13th century this whole business of the discovery and the correction of heresy had been cared for by the Church authorities in an unsystematic manner and with no consistency of policy. The more conscientious and more forcible rulers of the Church recognised that heresy must be exterminated at whatever cost, but the measures for its extermination proved to be difficult to bring into organisation. "The institution of the mendicant orders," says Lea, "placed at the disposal of the Church groups of workers who possessed exceptional facilities for the task to be undertaken. The Dominicans and the Franciscans were peculiarly devoted to the Papacy, and the papal authority placed in their hands to carry on in its larger development the work of the Inquisition, proved to be a powerful instrument to extend the influence of Rome and to lessen the independence of the local churches."[1]

The consecutive history of the Inquisition as a definite organisation may be said to date from the Council of Toulouse in 1229. The Spanish Inquisition, which proved to be by far the most persistent, the most effective, and the most terrible of the Inquisition organisations of the world, dates from 1480. Curiously enough, the most complete and pitiless of the acts of persecution that were based upon the Lateran canons was the work of one of the fiercest opponents of the Church, the Emperor Frederick II. It became necessary, on more grounds than one, for the Emperor to meet the charges of heresy that had been freely brought against him, and for this purpose, he found it convenient to manifest special zeal in the persecution of heretics. The edicts putting this persecution into

[1] Lea, i, 319.

form were issued between the years 1220 and 1239. In 1232, Frederick placed at the command of the papal inquisitors the whole machinery of the State, for the purpose of tracing heresy and of capturing and condemning heretics. Frederick's coronation edict against heretics, issued in 1220, was sent by Pope Honorius to the University of Bologna to be taught as a part of practical law. The whole series of Frederick's edicts was subsequently promulgated by successive popes in repeated Bulls. The substance of these edicts was finally incorporated in the *Corpus Juris* as part of the canon law itself, and their regulations may, technically speaking, be regarded as in force in the present day.[1]

The commission issued in 1227 by Gregory IX may be conveniently accepted as constituting the foundation of the papal Inquisition. From this date, the policy of the Church in the great work of the suppression of heresy was pushed forward with a consistency on the part of the central organisation that had not before been possible. In April, 1233, Gregory IX issued two Bulls making the persecution of heresy the special function of the Dominicans. The plan, arrived at by Gregory, for the selection by the provincial churches of certain brethren who exercised within their several provinces the delegated authority of the Holy See in searching out and examining heretics, was accepted as a permanent basis of the Inquisition. The bishops continued from time to time to protest against the invasion by these papal inquisitors of their territories and of their responsibilities, but the power of the Inquisition continued to strengthen itself through the centuries. The germ of the Inquisition lies in the duty of searching out and correcting error. It was,

[1] Lea, i, 322.

therefore, natural that when the new art of printing had largely increased the risk of the spread of error, the Inquisition should have claimed and should have secured a large share of the responsibility for the control of the printing-press.

The chief original authority for the system of the earlier Inquisition is the *Directorium Inquisitorium* of Nicholas Eymeric, who was Inquisitor-General for Castile in 1316. Eymeric left, among other works, the manuscript of a *Liber Sententiarum*, or Book of Judgments, which presents the early rules of procedure. In 1252, Innocent IV issued the Bull *Ad Extirpanda*, addressed to the potentates and rulers of Italy, which presented an elaborate law for the establishing of machinery for systematic persecution in every city and in every State. In 1265, Urban IV renewed an order, originally issued in 1257 by Alexander IV, under which the local authorities were forbidden to interfere in any way with the action of the Inquisition. The Inquisition was made supreme in all lands and it became an accepted maxim of law that all legislation interfering with its free action was void and that all who enacted such laws were to be punished. When a monarch like Philip the Fair undertook to protect his subjects against inquisitorial processes, he risked incurring Divine vengeance. Under the canon law, any one, from the meanest to the highest, who opposed, or who impeded in any way, the functions of the inquisitor, or who gave aid or counsel to others so acting, became at once, *ipso facto*, excommunicate. In England, the statute *de haeretico comburendo*, enacted in 1400, for the first time secured for that country the penalty of death as a punishment for heresy. It was under this statute

that dissemination of heretical opinions by preaching or by books was prohibited and controlled. In 1262, Urban IV instituted the office of inquisitor-general, the first occupant of which was Cajetano Orsini, who became Pope as Nicholas III. After the 13th century, however, the post remained vacant. The Spanish Inquisition retained in its organisation, from the beginning, the post of inquisitor-general, and under such direction as that of Torquemada and of Ximenes, the prosecution of heresy secured in Spain a consistency and finality of action which were not to be found in any other State.

"The papal Inquisition was an instrument of infinitely greater efficiency for the work in hand than any inquisitorial machinery controlled by the bishops. However zealous an episcopal official might be, his efforts were necessarily isolated, temporary, and spasmodic. The papal Inquisition, on the other hand, constituted a chain of tribunals throughout continental Europe, perpetually manned by those who had no other work to attend to. Not only therefore did persecution in their hands assume the aspect of belonging to the endless and inevitable operations of nature, which was necessary to accomplish its end and which rendered the heretic hopeless that time would bring relief, but by constant interchange of documents and mutual co-operation these tribunals covered Christendom with a network that rendered escape nearly hopeless. The Inquisition had a long arm and a sleepless memory and it is not difficult to understand the terror inspired by the secrecy of its operations and by its almost supernatural vigilance."[1]

In July, 1542, under a Bull of Paul III, a new organisation was given to the Roman Inquisition. Six cardinals were appointed inquisitors-general, the list

[1] Lea, i, 36

including Caraffa who was in 1555 to become Pope under the name of Paul IV, and who had already taken an active part in the fight against heresy.

The six inquisitors were empowered to take such measures as they found necessary, with or without the co-operation of the local bishops, for the detection and punishment of heretics, the examination of suspected persons, the destruction of pernicious literature, and generally for the suppression of heresy. They were also to appoint delegates or sub-inquisitors, and to take action on appeals from all the lower tribunals of the Inquisition. In 1558, Paul IV ordered that the inquisitor-general or chief should always be a cardinal, and that he should be charged with the supervision of all matters of faith, proceedings against heretics, etc. He was to retain this special authority during any vacancy in the Papacy. The Cardinal of Alexandria, Ghislieri, was, however, the only one who held this sole authority. When, in 1566, he was chosen Pope as Pius V, he appointed four cardinals as inquisitors-general. Lea points out that the purpose of the institution of the Inquisition was not merely the suppression of heresy, but the reform of corruption and the correction of the immoralities that had sprung up within the Church. Lea is speaking more directly of the Inquisition in Spain, but the statement apparently holds good also for the Inquisition of Rome, which charged itself later particularly with the work of carrying out the reforms ordered by the Council of Trent.

1543. The Inquisitors-general issue an edict for the suppression of heretical literature and of books written by heretics. The book-dealers throughout Italy are forbidden, under penalty of excommunication

and of a fine of 1000 ducats, and of other punishments to be determined in the several cases, to sell or to possess any books written by heretics, or tainted with heresies. They are further ordered to place in readiness for inspection all books then in stock or later received, and thereafter to sell no books that have not been examined and approved by inspectors appointed for the purpose. Similar instructions are issued for the printers concerning the printing of books condemned. The inquisitor of Ferrara and Bologna is delegated to arrange for the inspection of printing-offices, book-shops, libraries, convents, churches, and private houses, and to make destruction of all books to be classed as heretical, and to report the names of all printers, dealers, librarians, or others who refuse or evade co-operation in such search.

1550. Pope Julius III, in a Bull issued in April, recalls and cancels all permissions or dispensations at that time in force, for the reading or possession of prohibited books. These permissions had for the most part been issued to scholarly ecclesiastics whose studies appeared to call for some knowledge of heretical literature. The Bull repeats also the previous prohibitions, specifications of penalties, etc., against printers, booksellers, or others, who may produce, sell, buy, possess, or read such books. The Bull was to be read at St. Peter's and at the Lateran, and its provisions became binding, sixty days later, on all persons.

The possession or the reading of forbidden books constitutes one of the most frequent charges in the Inquisition trials of the 16th century.[1]

The scheme for the development of the Roman Inquisition so that its organisation should cover as

[1] Reusch, i, 172.

with a comprehensive network the whole of the territory that accepted the authority of the Church, was never brought to completion. The Inquisition of Spain, the most Catholic of the Catholic States, retained from the outset its independence from Rome. The Spanish Inquisition, in form at least, worked under the authority of the king, while in fact, except in the case of strong-willed monarchs like Charles V and Philip II, it dominated the throne as well as the country. France, in company with the other Catholic States north of the Alps, in like manner refused to accept as binding instructions from Rome for the direction of the operations of the local inquisition. In France as in England, the control of the machinery rested practically with the king, while in the several States of Germany, the authority was for the most part exercised by the archbishops and bishops. Even in Italy, the Roman Inquisition did not succeed in securing a general acceptance of its authority. Venice was able to retain, during the greater part of the centuries, liberty of action, particularly in the control of the printing-press; Sicily was under the control of Spain, and there were from time to time protests and revolts in Florence and Milan.[1] The influence of the Inquisition of Rome was, however, more extended and more important than would be indicated by the range of acceptance of the authority of its edicts and orders. The decisions of its courts and the policy emphasised in its edicts were very largely followed by the inquisitors in Spain, France, and elsewhere, and they helped to secure some measure of consistency throughout the Catholic States in the treatment of heresy and in the supervision of heretical literature.

[1] Reusch, i, 172.

1550. Ghislieri, Inquisitor at Como (who became Pope as Pius V) excommunicated the vicar and chapter because they had taken part with certain book-dea'ers of whose stock twelve bales of books, classed as heretical, had been confiscated. By direction of the vicar and chapter of Como, the books had been returned to the importers. Como was at that time being used as a port of entry for Northern Italy for books from Germany and Switzerland. The sympathies of the town were with the book-dealers and the Inquisition was said to have escaped with difficulty the vengeance of the injured parties.[1]

1563. Pius IV issues a Bull giving authority to the Inquisition to proceed, in regard to heresy, against prelates as well as laymen. The action of the Roman Inquisition was as a rule much less severe than that of the Spanish organisation, and there was, therefore fierce and effective opposition when Spanish monarchs, in connection with their control of Italian territory, attempted from time to time to introduce the Spanish regulations into Naples and Milan.

1595. Decrees of the Roman Inquisition order the inquisitors, or in their absence the bishop, to make search for heretical books in the cargoes of all incoming ships. The books found are to be consficated and burned. In the Inquisition of Rome, as also in the Congregation of the Index, the Dominicans had from the beginning exercised a very large influence, and were in fact for the greater part of the time in full control. From the beginning of the 16th century, this Order had taken the leading part in the work of extirpating heresy. It was at the instance of Cardinal Caraffa that a Dominican was associated with the six cardinals as

[1] Mendham, 15.

"Commissary" and became the actual executive of the board. Many of the edicts and orders, and particularly those in regard to books, soon came to be issued on the sole responsibility of the "Commissary."[1] In the selection of the authors to be condemned and of the phases of doctrine to be brought into disrepute, the old-time antagonism of the Dominicans against the Franciscans and the Jesuits speedily became apparent. The generals of the Franciscans emphasised with the popes the evil that was caused to the influence of the Church by confiding to ignorant and prejudiced monks the supervision of literature and the determination of heresies. It is not clear, however, that the management of the Inquisition became more judicious or the supervision of the censorship more discriminating at the times (comparatively infrequent) when the control of the Dominicans was replaced by that of the more scholarly, but no less bitter and partisan, influence of the Jesuits.

The chaplain of Philip II declared it as his opinion that the purification of Spain from heretics was due to the deaths brought about under the regulations of the Index, and the prosecution of heretics by the Inquisition. Cardinal Pallavicino, in his eulogy on Paul IV, lays special emphasis on the Pope's zealous attachment to the Inquisition, and claims that the preservation of Italy from the infection of invading heresies was due to the activity of the holy tribunal, and particularly to its work in supervising the Index.[2] Paramo asserts that the Holy Office of the Inquisition originated in Paradise and that its record can be

[1] Reusch, i, 178.

[2] Cited by Soames, in the *History of the Reformation of the Church of England*, iv, 573.

traced through the succeeding ages of Jewish and of Christian history.

2. Trials under the Inquisition in the 17th Century. —The most noteworthy of the trials directed by the Inquisition during the first half of the 17th century is that of Galileo. In connection with a denunciation that had been submitted to the authorities concerning the teachings of Galileo, the Inquisition secured from its theological counsellors an examination of and a formal opinion concerning two propositions which presented the Copernican theory. One of these was declared to be heretical, while the other was characterised as simply erroneous. As a result of this report, given in March, 1616, the Congregation of the Index condemned, with a *d. c.*, the treatise by Copernicus, *De revolutionibus orbium coelestium*, and also the "Commentary on Job" by Didacus of Stunica. The latter had been issued in Italy in 1584, and reprinted in Rome in 1592. The same list included the prohibition of a volume by Foscarini entitled *Lettera sopra l'opiniones de' Pittagorici e del Copernico*, printed in Naples in 1615. A general prohibition was added of all writings which presented similar teachings. This condemnation of the Copernican theories was, under the instruction of the pope, communicated by Cardinal Bellarmin to Galileo, who was at that time in Rome, and, according to the record, the astronomer promised to correct his errors. In 1632, however, he published a monograph entitled *Dialogo sopra i due massimi sistemi del mondo Tolemaicho e Copernicano*, in which was made substantially evident the acceptance by Galileo of the Copernican system. This publication caused the Inquisition to institute proceedings against Galileo and, in June, 1633, he was ordered to abjure as error and as heresy the

Copernican doctrine. The *Dialogo* was in August, 1634, formally condemned and prohibited. Back of these proceedings, in 1620, the Index Congregation had published a *Monitum* in which were specified the eliminations and corrections that had to be made in the writings of Copernicus before any further printing of these writings could be permitted. The changes ordered in the text caused the theories of Copernicus to be presented not as a conclusion but as an hypothesis. In 1619, the Congregation prohibited the *Epitome astronomiae Copernicae* of John Kepler. The above appear to be the only works upon the Copernican doctrine which on that ground simply, and specifically by title, were placed in the Index. It is the case, however, that the *Raccolta* of 1624, the *Elenchus* of some years later, and the succeeding Indexes up to the time of Benedict XIV, all contain, under the heading of *libri*, a general prohibition covering all books which teach the movement of the earth and the fixity of the sun. The Index of Benedict XIV omits this general prohibition. Since that date, various books have come into print in Rome in which the Copernican doctrine is openly explained and maintained. It was, however, not until September, 1822, that the Inquisition gave formal permission for the printing in Rome of books maintaining the theory of the movement of the earth about the sun, in accordance with the accepted views of modern astronomy. This conclusion was, on the 25th of September, 1822, confirmed by Pius VII and in the next edition of the Index, in 1835, the names of Copernicus, Galileo, Kepler, Foscarini, and Stunica were omitted. The account of the condemnation of Galileo is given in Chapter X, in the record of the Index of 1664.

In 1623, under Urban VIII, Mark Antonio de Dominis, formerly Archbishop of Spalatro, was brought to trial by the Inquisition and died in the same year while in prison. He was condemned, after his death, as a backsliding heretic, and his body, his portrait, and his books were burned. He had in 1616 joined the Anglican Church, but in 1622 had returned to Rome and had abjured his heresy. The most important of his writings that were at this time condemned was the treatise *de Republica ecclesiastico*, which was prohibited before it had come into print. In 1626, the English Benedictine, John Barnes, was, under the command of Urban VIII, arrested in Paris, brought to Rome, and condemned by the Inquisition to imprisonment for life. He died after thirty years' confinement, in a state of idiocy. Among the writings of Barnes which have been placed in the Index, the most important is the treatise entitled *Romano Catholicus pacificus*, which was first published in England after the death of the author. In 1622, was prohibited a treatise by Vecchietti under the title of *De anno primitivo ab exordio mundi ad annum Julianum*, etc., the author of which had for a long series of years been imprisoned under the order of the Inquisition, because he refused to take back an opinion concerning the date of the Last Supper. His theory was, however, later adopted quite generally without further criticism. Cesari Cremonini, a professor in Padua, was ordered more than once by the Inquisition to report to Rome for trial. He refused obedience, however, and was protected by the Republic of Venice. The Inquisition could take no further action than to secure the prohibition of one of his books. In 1644, Pallavicini was executed in Avignon under the authority not of

the Inquisition but of the papal legate. The ground for his condemnation was a pasquil written against Urban VIII. The pasquil itself, doubtless through oversight, escaped condemnation in the Index.

3. The Congregation of the Index.—In 1571, Pius V instituted the Congregation of the Index, which was made up of certain cardinals selected by the Pope and was charged with the work of continuing the series of Indexes and of shaping the regulations for the prohibition and supervision of books. The original order or edict of Pius appears not to have been preserved. The organisation of the Congregation was completed in 1572 by the Bull of Gregory XIII. In 1588, fifteen congregations of cardinals were instituted by Sixtus V for various objects. Of these, the seventh had for its function *pro Indici librorum prohibitorum*. The Congregation is at this date (1906) still carrying on its labours, although, under the later policy of the Curia, its responsibilities have been somewhat restricted.

Benedict XIV, in the introduction to the *Bulla Solicita*, issued in 1753, says:

"There are two Congregations which have been charged by the Curia with the work of supervising pernicious and doubtful books, of reprinting those which by means of expurgation can be rendered suitable for preservation, and of indicating which must be condemned. Paul IV placed this task in the hands of the Congregation of the Inquisition, and still to-day (1753) the Inquisition gives judgment in regard to books of certain classes. The Congregation of the Index was, however, instituted by Pius V, and the responsibilities of this body were confirmed and extended by Gregory XIII, Sixtus V, and Clement VIII. The special duty of the Congregation is to make examination of books

concerning the authorisation, the correction, or the prohibition of which question has arisen."

As first constituted, the Congregation comprised four cardinals and nine councillors. Under a Bull issued in 1572, by Gregory XIII, the Congregation was made up of seven cardinals, of whom Sirleto was named as chief. The Pope states as follows the grounds for the institution of the Congregation:

"In order to put a stop to the circulation of pernicious opinions, and as far as practicable to bring certainty and protection to the faithful, it is our desire to bring the Index of prohibited books into a condition of completeness, so that Christians may be able to know what books it is safe for them to read and what they must avoid, and that there may be in this matter no occasion for doubt or question. . . . Therefore we give to you or to the majority of your body, full authority and powers to take action in regard to the examination and the classification of books, and to secure for aid in such work the service of learned men, ecclesiastics and laymen, who have knowledge of theology and of the canons; and to permit or to prohibit the use of books so examined, all authority given by my predecessors to their bodies or individuals for the carrying on of the work. It shall also be the duty of your body to elucidate or eliminate all difficulties or incongruities in the existing Indexes; to arrange for the correction or expurgation of all texts containing instructions of value, the service of which is marred by erroneous and pernicious material; to add to the Index the titles of all works found to be unworthy; and to prohibit the production and the use of all books so condemned; and to give permission for the reading of books approved and of books corrected and freed from error; and for the purpose of facilitating your task, you shall enjoin upon all bishops . . . doctors, masters, printers, booksellers, magistrates, and others to

coöperate with your body in carrying out the regulations formulated by your body for the supervision, control, and improvement of literature, and for the protection of the faithful against heresy."

In the Bull *Immensa* of Sixtus V, January, 1587, the Congregation of the Index is directed to secure co-operation from the universities of Paris, Bologna, Salamanca, and Louvain, and other trustworthy institutions, in the work of examining and correcting books. (The selection of the universities recommended is interesting.) The Congregation is empowered to give permissions, exclusively for use in connection with the Index, to the scholars selected from these universities, and to other scholars whose service is utilised, to read the forbidden books without a special papal dispensation.

The *Magister* of the papal palace (who was always a Dominican) was the standing counsel of the Inquisition and of the Congregation of the Index. The *Magister* held at one time the office of papal chaplain, and later served as the personal adviser of the pope in theological matters. Leo X assigned to the *Magister* (acting in conjunction with the cardinal vicar) the control of the censorship for Rome of books to be printed, and this function is still retained by him.[1] In 1600, Clement VIII decides (through Cardinal Baronius) that the Congregation has jurisdiction not only over books, but also over the authors, printers, and readers of the same; but that it must not interfere in the matters of heresy reserved for the control of the Inquisition.[2]

[1] Catalanus, *De Magistro Sacri Palatii*, etc., Rome, 1751; Reusch, i, 432.

[2] *Ibid.*, i, 433.

Latinus (1593, later counsellor of the Congregation) relates that having occasion to read a volume by Paschasius, he had inadvertently proceeded with the reading of a treatise by Bertram which was bound in with this, forgetting that the latter was on the Index. On recognising his error, he threw away the book, and appealed to the Cardinal of Ermland, Grand Penitentiary, for absolution. His sin had brought him under the "reserved excommunication." Later, the secretary of the Congregation had authority to give permission for the reading of prohibited books (with a few exceptions), but for no term longer than three years, and only in connection with an application on certificate from a bishop, vicar-general, or general of an order.

The first *Magister* of the palace was St. Dominic. The office was held more than once by cardinals. Since the beginning of the 17th century, the *Magister* or his associate (*Socius*) is empowered, for the city of Rome, to prohibit the printing and the reading of books. Both officials have also the authority to permit the use of books other than the works of authors placed in Class I, or of books which treat of theological matters. For instance, in 1574, the *Magister* Constabile gave permission to the scholar, Pierre Morin, to make use of the Greek lexicon of Stephanus (Estienne).

Doctor Shahan (of the Catholic University of America) gives me the following statement concerning the organisation and the work of the Congregation:

"The Congregation of the Index has, since its formal organisation, always had for its Secretary a member of the Dominican Order. The 'Master of the Sacred Palace' is

also, *ex officio*, a member of the Congregation with the title of Perpetual Assistant. The usage under which the office of the Secretary and the office of Perpetual Assistant are always held by Dominicans is explained as follows:

"When St. Dominic was at Rome, he was wont to interpret the Holy Scriptures in the presence of the papal Court, and from that time one of his brethren has always continued to hold this office. A Dominican historian of the 18th century, Echard,[1] tells us that the duty placed upon this Dominican consisted *in Scholae Romanae et Pontificiae regimine et in publica Sacrae Scripturae expositione*, i. e., 'in the government of the Roman and pontifical school and in the public interpretation of the Scripture.' This would mean, in the 13th and 14th centuries, the head-mastership of all theological teaching and preaching in the papal Curia (*Sacrum Palatium*). The theological sciences were not then differentiated after their present manner. Doctrinal theology was largely Bible-commentary. Thus, the Roman ecclesiastical official who had formal charge of Bible-study and public teaching in the papal Curia, would naturally be expected to control the public utterances of his own disciples and of others, to exercise a revision of theological and Scriptural manuscripts, and to detect and denounce current heresies, where these might be propagated orally or made known in writing. As a matter of fact, such duties belong yet to the office of the 'Master of the Sacred Palace.' It is he who selects the preachers for solemn pontifical occasions, and revises their sermons, and he is the official censor of all books printed at Rome. This office is the principal historical source of the Dominican influence in the Index. It meant from the 13th century an official duty and right of revision of all public ecclesiastical teaching, and the immediate practical decisions as to the conformity of such teaching with the teachings of the Scripture and of the Holy See.

[1] *Script. Ord. Praed.*, i, p. xxi.

"There never has been in Rome a theological faculty corresponding in character to the theological faculties of Paris and of Oxford; but it would appear that the popes of the 13th century had hoped to be able in one way or the other to bring about the organisation of such an institution at Rome. There were always at the papal Curia theologians of distinction, both Italian and foreign, and the subject of ecclesiastical studies was naturally a matter of constant attention and concern. It was during this particular period of more or less unorganised theological activity at Rome in the 13th century that the Master of the Sacred Palace acquired and held all the privileges that then went with the office of the head schoolmaster, or head of the school (*Magister Scholae*). In other words, he was, as may be said, the equivalent of the head or rector of the theological faculty at Rome. I take it that had the political circumstances of the 14th and 15th centuries permitted the development at Rome of a good school of theological studies, our Master of the Sacred Palace would have taken on the character of the chancellor of the university, with such duties as are exercised by the chancellor at Paris and at Oxford. Probably too, like these officials, he would have met with prejudice and opposition and would have been compelled to share more generally the functions of his office. This was, however, the period of the Avignon Papacy, the Great Schism, and the preponderating political interests of the 15th century. So it came about that at the time of the Reformation, the Master of the Sacred Palace had for fully two centuries been an office reserved for a Dominican. The Order was in possession of a place quite closely related to its original purpose and its historical development. The Dominicans had also, during the first quarter of the 16th century, been intimately connected with the work for the repression of heresy. It was still the period of influence for the old and influential Aristotelian scholasticism and of this school of thought the Dominicans remained the most learned representatives. The Dominicans

held also important theological chairs in many of the Catholic universities of Europe. They were very learned men of the severe traditional type, with a long record for fidelity to the Holy See, for opposition to heresy, and for opposition also even to the new learning that had led astray so many Churchmen. For these reasons, when in the latter quarter of the 16th century, it was the question of the reorganisation of the Inquisition and of the creation of the Index, the Dominican Order was able to put forth an indisputable claim for the representation of both. Possibly also the enormous influence of Spain at this period had something to do with the actual constitution of these Congregations. Spain was always wont to look very closely after its ecclesiastical interests at Rome."

The Denunciation of Books

The present regulations of the Index provide official channels for the denunciation of books.

In Title I, Chapter X, it is stated that the duty of the denunciation of books to the Congregation belongs to the papal nuncios, the apostolic delegates, the ordinaries (Diocesan bishops), and the rectors of the more important (Catholic) universities. It is requested that on such occasions not only the title of the book, but the reason for its condemnation should be given, and at the same time absolute secrecy is promised as regards the sources of such denunciation.[1]

Mendham contends that the Italian Church seems to have acted on the presumption that, not when she condemned and executed (whether the innocent or the guilty), but only when she acquitted and allowed to escape, she did wrong. And, therefore, the power of condemning supposed heretical books was permitted to any of the superior ecclesiastical authorities.

[1] Hilgers, 32.

The pope, as head of the Church, claimed the individual right to the control of literary production. A similar authority was likewise allowed to, and exercised by, public ecclesiastical bodies, such as the theological faculties of the Sorbonne and of Louvain, by individual superior ecclesiastics, and even by the supreme civil magistrate. There were from time to time protests, on the part more particularly of the Jesuits and the Dominicans, against the exercise of censorship by any bodies or individuals not explicitly authorised by the head of the Church, or carrying some such general authorisation as that held by the Inquisition. The Jesuit Raynaud[1] denies the authority of the bishops; and his opinion of the censorship authority of the universities is contemptuous. If, he argues, this power resides not in an individual doctor as such, how can it reside in a collective body of doctors? If Aesop's ass, though in a lion's skin, was still but an ass, would a whole herd of such animals form an assembly of lions?

Van Espen, in a tract concerning the Congregation of the Inquisition, states that the censure or condemnation of the books in the Index is often to be resolved into the examination and judgment of a single consultor, as he is called. Not a few true Romanists whose works were thus transfixed have protested against the injustice of being, on the judgment of a single examiner, classified as heretics.[2]

Damages under Censorship

I have not been able to find that the ecclesiastical authorities now take, or ever have taken, any official notice of the damages

[1] *Erotem*, ii, sect. 465–471.
[2] Mendham, 12.

brought upon a publisher or a printer as a result of the condemnation of books brought into print by him. I may assume that an Italian or a Spanish publisher who had reason to suspect the denunciation of a work in which he was interested, would see to it that the author either himself bore the entire risk and expense for the production and publication of the book, or that the author placed himself under bond of some kind for the protection and possible reimbursement of his publisher.

CHAPTER VII

THE FIRST SERIES OF INDEXES, 1510–1559

1. Louvain, 1510 (doubtful). 2. Paris, 1544. 3. Venice, 1543. 4. Louvain, 1546. 5. Louvain, 1550. 6. Lucca, 1545. 7. Venice, 1549. 8. Florence, 1552. 9. Valentia, 1551. 10. Valladolid, 1554. 11. Venice, 1554. 12. Louvain, 1558. 13. Valladolid, 1559. 14. Rome, 1559.

1. 1510. Louvain. Panzer makes reference[1] to a catalogue of prohibited books printed in Louvain in the year 1510. The title cited is, *Die Catalogen oft Inventaryen van den Quaden Verboden Bouken; na advis dar Universiteyt van Louen. Met een Edict oft Mandement der Keyserlycker Majesteyt. Te Louen, deprint bej Servaer van Sassen. MCCCCCX.* This catalogue, no copy of which is at this time known to be in existence, is also referred to by Gesner. The heresies which at that time were to be controlled had not as yet been very clearly classified. Martin Luther, in a letter written February 8, 1516, says: *Nec cessant universitates bonos libros cremare et damnare, rursum malos dictare, immo somniare.*[2]

2. 1544. Paris. The first schedule of prohibited books printed under the name of an Index was, as far as is at present known, that issued by the University of Paris, in 1544. The faculty of the Sorbonne had

[1] *Annales Typog.*, viii, 258.

[2] *Briefe*, Part I, Berlin, 1825, viii, 15–16.

been instructed, under an order of the Parliament of July, 1542, to prepare a list of the books that the college had thus far condemned. No copy of the original list has been preserved, but a supplementary list is in existence, bringing the record down to 1543. This supplement contains sixty-five titles, printed without any order or arrangement, and presenting the names of the leading German and French Reformers. There is also a list of anonymous French works. In 1544, the college printed an alphabeted list with about 170 titles. This was reprinted, with additions, in 1547, in 1551, and in 1556. This is the last Index published by the Sorbonne.[1]

3. *1543. Venice. Index Generalis Scriptorum Interdictorum.* This Index is cited by Reimann in his *Catalogus Bibliothecae Theologicae.* The entry of title is connected with the following specification: *Atque ab hoc tempore conquievit haec libros excommunicandi ratio usque ad A. D.* 1543, *quo primus Scriptorum interdictorum Index Generalis prodiit Venetiis, quem plures postea secuti sunt.* The previous reference had been to the decree of Gelasius of 493. Mendham is inclined to doubt the existence of this Venetian Index, and it is not cited by Reusch.

4. *1546. Louvain.* Compiled by the theological faculty of the University of Louvain, under the instructions of the Emperor (Charles V) and under the authority of the Bull issued April 13, 1536 (*Bulla Coenae Domini*) by Paul III. Title-pages in Flemish. Lists of books in Latin repeated in Dutch. An edition was also printed in which the lists are given in Flemish.[2]

[1] Reusch, 148.

[2] Michiels, Charles, *Collection concernant les Expurgations et Censures des Livres.* Anvers, 1781.

Title-pages (in part):

Copie uten mandamente | aengaende den statuten. | Onlãex gemaect | Eerst op die leengoeden Erfgoeden. | Chijsen Eygen goeden Kenten oft an | der onberoerlicke goeden | ghelegen | inden lande van Brabant | Lemborch | Vlaenderẽ Hollant Zeelant eñ Ouer | mase. Le Datmen dve selue voortaen | niet en sal moghen ver coopen | opdraghen transporteren | verthieren | of per | mitteren | eenighen gheestelijken per | soonen oft godshuysen Ende onlancx | ghepubliceert inder stadt van Ant | werpen | ende in anderen | hooftsteden van Brabant. | ¶Men vinste te Coope Thantwer- | pen In onser lieuer Vrouwen | Pant Bi my Claes de | Graue. |

Ordinancien en Statuten | dye-de Keyserlijke Maiesteyt in zijnder teghe- | woordicheyt op den. vij. dach Octobris Int iaer MCCCCCXXXI.

Ghepriut te Loeuen by Seruaes Sassenus | ghe | sworen printer. | Met Gracie ende Preuilegie der Keyserlijcker Maiesteyt. |

The authority of the Index was emphasised by an imperial mandate, printed in Flemish, Spanish, and French, and ordered to be connected with the catalogue. *Mandement de l'Impériale Majesté donné et publié en l'an MDXLVI Avecq Catalogue. Intitulation ou déclaration des livres reprouvés, faiete par Messieurs les Docteurs en Sacrée Théologie de l'université de Louvain, a l'ordonnance et commandement de la susdicte Maiesté Impériale. Imprimé à Louvain par Servais de Sassia. MDXLVI cum gratia et privilegio.*

This Index of Louvain is distinctive in being the first of the long series of catalogues of books and of authors condemned as heretical which were issued with the sanction of the Church. It antedates by thirteen years the first of the Indexes produced in

Rome, under the immediate supervision of the pope, and may possibly be considered as an example of the special zeal against heresy on the part of the ecclesiastical authorities of the Spanish realm and of the effectiveness of the Spanish Inquisition. As the later records give evidence, it was only in the territory in which the authority of the Inquisition remained unquestioned and by means of its machinery that it proved practicable to carry out with any thoroughness the policy of the Church in regard to the ecclesiastical control of literary productions. The faith of the believing subjects of the Emperor Charles was threatened most seriously by heretical writings coming from Holland and from Germany, and it was therefore quite fitting that the first official protest of the Church should be made from a place like Louvain, the university of which stood like a picket-post of orthodoxy confronting the perilous heresies advancing from the North and from the East. The name of the Inquisition is not directly connected with this first Index of Louvain, but it appears on that printed at the same place four years later, which is in substance a reissue of the catalogue of 1546, and it is probably the case that the command of the Emperor for the preparation of the earlier publication may be credited to the Senate of the Inquisition.

The *Mandement* makes reference to *Ordonnances* for the restraint of the press, issued in 1540 and 1544. It complains of the continued publication of heretical books, and particularly of corrupt editions of the Scriptures; and it accordingly subjects booksellers to new restrictions, under penalty of death if they sell any books containing error, without the previous inspection and mark of the appointed inspectors. No

books could be printed except by a duly certified printer who was a member of the guild. The Index itself comprises, 1, a list of Bibles and New Testaments in Latin, low German, and French editions; 2, a list of works in Latin, chiefly the writings of the German Reformers (these titles are repeated in Flemish); 3, a list of heretical works in German and French; and, 4, a list of books which had been condemned in the rescript of 1540.

The introduction by the theological faculty states that the Emperor has charged the faculty with the duty of examining all the libraries and book-shops, and of taking out from these the books classed as heretical, together with those which bordered upon heresy, and also all writings which might prove dangerous for the unlearned. A separate class was to be made of the books which, while not condemned as heretical, were not to be left available for the use of the general public or of young people. The writers of the introduction admit that their lists might be more comprehensive. They point out, however, that the compilers had undertaken to condemn only those books which they had themselves had an opportunity of examining. They add a remark, which might to advantage have received further consideration on the part of the producers of later Indexes, to the effect that it was wiser to ignore books of a certain character rather than, in calling attention to them, to incite curiosity and risk bringing them into influence. The writers point out that the devout reader is in a position to judge, through the titles presented, as to the class of literature that he is instructed to avoid.

The list of titles is arranged alphabetically, but the arrangement confuses together the surnames and the

forenames of the authors and the titles of the books. A list is given of authors all of whose writings are prohibited. In certain instances, as with the names of Bucer, Bullinger, and Brenz, certain titles are specified and are followed by a general word to the effect that "as these authors are now known as notorious heretics, all of their writings are prohibited."

This first Index of the series makes a precedent, which was followed but very seldom in the later Indexes, in adding a list of works the use of which was commended and which were permitted for the schools.

5 1550. Louvain. Index, prohibitory and permissive. Compiled, under the instructions of the emperor and by authority of the Senate of the Inquisition, by the University of Louvain. Title-pages and text in Flemish.

1550. Louvain. The same, with Latin text. S. Sassenus.

Catalogi Librorum reprobatorum et praelegendorum ex judicio Academiae Lovaniensis. Cum Edicto Caesareae Majestatis evulgati Jussu, Gratia et Privilegio Caesaris Majestatis. Lovanii ex officina Servatii Sasseni.

Les Catalogues des livres reprouvés, Et de ceux que l'on pourra enseigner aux enfans es escholles particulières selon le jugement de l'université de Louvain. Avec l'édict et mandement de la Maiesté Impériale.

The list of books condemned is closed with the words: *solam fidem sufficere ad salutem.* The condemned Bibles and New Testaments, in editions printed in various languages, aggregate forty-eight titles.

The introduction, addressed to "Christian readers," is written over the signatures of the rector and the members of the general faculty of the university.

The writers point out that the lists of prohibited books include not only such as are to be classed as heretical or as very suspicious, but also others which, under the cover of religious instruction, are likely to mislead the unlearned or to convey erroneous views concerning the pope, the ceremonials of the Church, confession, mass, and the saints. Of the chief heretics, all the writings are prohibited, the names being in the main those that appear in the catalogue of 1540. The list includes Brunfels, Brenz, Bucer, Bullinger, Corvinus, Calvin, Petrus Martyr, Urbanus Regius, and Musculus. The names of Luther and Melanchthon are not included. The suggestion is made to students whose work would be hampered through the want of certain scholarly treatises, important in themselves and marred possibly only through a small proportion of heretical error, and in the case of texts from the Latin, Greek, Hebrew, or Chaldean, the annotations to which may contain error, that permission can be secured, by properly accredited applicants, from commissioners to be appointed for the purpose, for a restricted use of such volumes; or the commissioners will, at their discretion, eliminate from the volumes the heretical or dangerous portions, thus rendering them available for use in the class-room.

This Louvain Index of 1550 was, in 1551, reprinted in Spain under the direction of Valdes, Inquisitor-General. Its lists (in the Latin text) were included in the Valdes Index of 1559, and in a number of other of the Indexes produced in Spain. The Latin lists were also utilised in the first of the Venetian Indexes and from this the titles were transferred to the Roman Index of 1559. The work of the theologians of Louvain was in fact accepted as the foundation or general

model for the whole series of Indexes which were produced prior to the Council of Trent, and was indeed, through the Index of Paul IV, utilised by the compilers of the Tridentine Index of 1564.

The Roman compilers, in including in their schedules the titles from the Louvain volume, transferred to Class I (comprising authors of acknowledged heresy, all of whose works were condemned) the names of a number of writers of whose productions the Louvain doctors had found but a few examples deserving of condemnation. These general heretics of Class I belong, with but one or two exceptions, to Germany and the Low Countries. From the heretical writers of France are selected Dolet and Marot, and from Italy, Ochinus and Curio.

6. 1545. The Senate of Lucca. The earliest catalogue issued in Italy of books condemned as heretical, which is entitled to be classed as an Index, was published in Lucca in 1545. This was seventy-one years after the introduction of printing into Italy, and fourteen years earlier than the first papal Index. The catalogue is published under the authority not of the bishop but of the Senate or Council of Magistrates, but the initiative probably came from the Inquisition. The edict orders that all copies of the books specified in the lists are, within fourteen days, to be delivered for burning, to the confessors or to the vicar of the bishop, under penalty of confiscation of property.

1549. A supplementary edict of the Senate includes among the works condemned all anonymous works treating of religion or the Scriptures that have not secured the approval of the vicar. The catalogue, which is printed in Latin, presents the names of twenty-eight writers all of whose works are condemned, the

list including Wyclif, Huss, Zwingli, Oecolampadius, Melanchthon, Carlstadt, Hütten, Hessius, Bomelius, and other less well-known names. Calvin does not appear. There are in addition the titles of about one hundred other pernicious books. A brief of Pius IV, issued in 1562, commends the Senate of Lucca for its "pious and praiseworthy decree."

Paul V takes a different position. Under an order issued by him in 1605 the Lucca decree is annulled on the ground that the repression of heresy is a matter that belongs exclusively to the Church, and concerning which laymen have no authority to take action. At the same time, he orders the institution in Lucca of an Inquisition tribunal.

7. 1549. Venice. Il catalogo de' Libri li quali nuovamente nel mesi di maggio nell anno presente MDXLVIIII, sono stati condannati et scommunicati per heretici, da Giovan della Casa, legato di Venetia et d'Alcani frati. E aggiunto sopra il medesimo catalogo un judicis et discorso del Vergerio, 1549. (In dating this Index 1549 instead of 1548 as stated by Reusch, I take the authority of Mendham, who cites the *catalogus Bibliothecae Banavianae.*) This Index is known by the name of Casa. No copies of the original have been found, and the references to it are based upon the reprint issued by Vergerio in 1550. John della Casa was the Archbishop of Benvenuto, and papal Nuncio at Venice. His Index was, according to Vergerio, prepared by the command of Pope Paul III. It must in that case take rank as the first Index issued under direct papal authority. The lists are preceded by the statement that: "All works produced by the heretics and heresiarchs whose names follow, which have to do with theology or kindred subjects, are condemned and prohibited."

The names of authors include Luther, Huss, Marsilius of Padua, and Nicholas Clemangis. The catalogue presents 142 titles—of which twenty-five are those of books issued (in Latin) anonymously. There is also a general prohibition of "Bibles and New Testaments containing notes or comments opposed to the faith, and of all works which within the preceding twenty-four years have been printed without the name of the author and address of the printer." Vergerio is able to point out that this Index is a very clumsy compilation which contains a full measure of errors and which compares unfavourably with the catalogues recently issued in Louvain and in Paris. In certain instances, the names of the authors or of their books are so carelessly worded as to render identification difficult. The titles of a number of the Latin books are given in Italian, and those of some of the few Italian books in Latin. There does not appear to be any arrangement of the titles, alphabetical or other. Of certain authors, as, for instance, of Giusto Giona, all the writings are condemned, and later are given for separate condemnation the titles of selected books of the same author. Casa speaks of having secured the assistance of some of the most learned of the Italian theologians, but their work appears to have been most carelessly done, particularly in view of the fact that they had available for use the comparatively accurate lists of the Louvain Catalogue of 1546.

Vergerio wrote (in Italian) an analysis pointing out the ignorance, and occasional impiety, of which this catalogue gave evidence. He speaks of it as "the first monster of the kind which had appeared in Italy," a statement which ignores an edition said to have been

printed in Venice in 1543.[1] In 1552, the catalogue was reprinted in Florence with some additional titles and with correction of certain of the errors previously pointed out by Vergerio. Concerning this catalogue, also, Vergerio printed a criticism as a result of which a third edition with further revisions was published in 1554, in Milan. In the same year, a fourth edition was issued in Venice, the many blunders in which (Vergerio uses the terms "folly" and "madness" of the compilers) provoked the commentator to a new exposure which was printed in Latin. Vergerio points out the omission from the lists of obscene books and of books of magic, etc. In the former class ought, as he claims, to have been included a work by Casa himself, *Capitolo del Forno.*

This Index of Casa has importance, notwithstanding its slightness and bad workmanship, as well because the responsibility for its production rested with Paul III, as because its lists, imperfect as they were, are in part reproduced, errors included, in the Index of Paul IV.

It would have been impossible to present any account of the work of these earlier Italian Index-makers except for the scholarly and critical labours of Vergerio, who charged himself with the duty of recording and of characterising these first efforts of the Church to supervise the literature of the time and to control the output of the printing-presses.

Peter Paul Vergerio had been papal Nuncio to Germany in 1530, and Bishop of Capo d'Istria in 1536. He became, in 1544, a convert to Protestantism, and in 1553 was a preacher in Tübingen, where the greater part of his later literary work was done. His collected works were printed in Tübingen in 1563.

[1] Mendham, 39.

What is possibly the first recorded list of heresiarchs is given in a catalogue compiled under the instructions of the Archbishop of Benevento and printed in Venice in the year 1549. It is printed under the title of *Il catalogo de' Libri, li quali nuovamente nel mese di maggio. . . sono stati condannati et scommunicati per heretici.* The catalogue is known through the reissue by Vergerio, printed at Strasburg in 1553.

Heresiarchs, as recorded in 1549.

(The names are printed partly in the nominative and partly in the genitive of the Latin form.)

Martin Luther.
Martini Buceri.
Martini Borrhai.
Melanchthonis.
Eccolampadii.
Zuinglii.
Joannis Hus.
Bullingeri.
Erasmi Sarcerii.
Joannis Brentii.
Pellianai (sic)
Antonii Corvini.
M. Antonii Bodii.
Hermani Bodii.
Hieronimi Saonensis.
F. Julii de Mediolano.
Petri Vireti.
Gulielmi Farelli.
Petri Artopei.
Arsatii Schoffer.
Conradi Lagii.
Claudii Guilandi.
Joan. Lorichii.
Hadmarii.
Justi Jonae.
Jo. Pauperii.
Gerziani.
Joan. Malter in Apoc.
Joan Spangelbergii Herdesioni.
Petri Artophagi.
Andreae Althameri.
Othonis Brunfelsii.
Joan. Calvini.
Huld. Hutteni.
Urbani Rhegii.
F. Bernadini Ochini.
F. Petri Martyris Flor.
Martini Morhai.
Clementis Maroti.

Victoris de Bordellai.	Jo. Oldenthorpo
Theodori Bibliandri.	Heliae Pandochei.
Hermetis Zetmarii	Hippoliti Melangei.

8. 1552. The Inquisition of Florence issues an *Index Prohibitorius* which, like that of Casa, is known to us only through Vergerio. It contained the titles collected by Casa, with a few additions, and with certain corrections based upon the strictures made by Vergerio on Casa's lists.

9. 1554. The Archbishop of Milan, Giovanni Angelo Arcimboldi, publishes an Index, preserved only through the reprint in a controversial pamphlet of Vergerio. The title reads: *Catalogo del Arcimboldo Arcinescovo di Milano, one egli condanna et diffama per heretici la magior parte de figliuoli de Dio, et mebri di Christo, quali ne loro scritti cercano la reformatione della chiesa Christiana. Con una riposta fattagli in nome d' una parte di quei ualenti nomini. Nello anno MDLIII.* The Index bears, in addition to the name of the Archbishop, that of Castiglione, Commissary General of the Inquisition for Lombardy, and the announcement that it is issued "with the approval of the Senate of Milan."

Under the responsibility of these three authorities, is issued, in a preamble to the catalogue, an edict, with the following regulations: Ecclesiastics and laymen alike are prohibited, under penalty of excommunication and of bodily punishment, from preaching or reading (aloud?) the Scriptures, either in church or elsewhere, without a written permit from the archbishop. The printing, selling, possessing, reading, etc. of books classed as heretical is prohibited. The penalty is for each offence, excommunication, and a fine of one hund-

red scudi. The fine is to be divided equally between the informer, the Inquisition, and the imperial representative. Persons concealing books, or withholding information, incur the same penalties. Printers, binders, and booksellers must, within a term of two months, deliver to the authorities a sworn schedule of the books handled by them, with supplementary lists from month to month, and the sale, or the possession of, any book not specified in such schedules brings upon the dealer excommunication and a fine of ten scudi for each book. Dealers who deliver up within ten days after receipt copies of prohibited or of heretical books are freed from the penalties. Any person having knowledge of the presence in the diocese of Milan of a heretic or of one suspected of heresy, and failing to give information within thirty days, falls under excommunication plus a fine of fifty scudi. The same penalty comes to one who renders assistance to a Lutheran or other heretic. A Lutheran or other heretic who recants and who denounces a fellow heretic receives one fourth of the penalty.

The Index contains nearly five hundred titles, arranged alphabetically, the names of the authors and those of the books being listed together. It is therefore much more considerable than that of Casa. The list of authors all of whose works (present and future) are condemned (corresponding to Class I of the Roman Indexes) is proportionately large.

10. 1551. Valentia, Valladolid, and Toledo. Emperor Charles V and Archbishop Valdes.—Index prohibitory. Compiled under the supervision of Fernando Valdes, Archbishop of Seville and Inquisitor-General. The Emperor Charles sent to Valdes the Louvain Index of 1550 with instructions to have the same published

in Spain. The Spanish issue includes as a supplement a list of the books which up to that date had been prohibited in Spain. The title reads: *Catalogi librorum reprobatorum, et praelegendorum ex judicio Academiae Louaniensis. Cum edicto Caesarae maiestatis evulgate. Valentiae, typis Joannis Mey Flandri MDLI, mandato Dominorum de consilio sanctae generalis Inquisitionis.* (Portions of the edition bear the imprints of Valladolid and Toledo).

The first list in the volume bears the title: *Catalogus librorum jampridem per sanctum officium Inquisitionis reprobatorum.* This is followed by the Latin lists of the Louvain Index, with the anonymous works alphabeted in, and a supplement with eleven further titles. This Valdes Index is the first of the Spanish series, and forms the foundation of the Index of 1559.

Llorente mentions[1] an Index prepared in 1555 under the instructions of the Inquisition, but states that this was kept in the form of manuscript for the use only of the inquisitors. Valdes was concerned with the compilation of two further Indexes, those of 1554 and 1559.

The supplement to the lists of 1551 presents certain general prohibitions; such as of Bibles in Spanish or in any vernacular versions; (these are entered curiously under the letter "N," "New and Old Testaments"); pictures, figures or statues by means of which the Virgin or the Saints might be brought into ridicule; all books tainted with heresy (*sapiento haeresim*); works having to do with necromancy; books (whatsoever their text) which had been printed within twenty-five years, and which failed to present the name and

[1]Llorente, i, 464.

address of the printer. A separate prohibition is provided for books written against the proceedings of the Diet of Ratisbon (1541). This is directed against a monograph by Calvin, published anonymously, in which this Diet is sharply handled. The lists report the authors given in the Louvain Index, in some instances with fresh errors ("Bronzins" for "Brentius"). The new names include Michael Servetus (his first appearance in any Index), connected with his tract on the Trinity; Simon Essius, for Simon Hessus, connected with his *Apologia;* John Fisher, Bishop of Rochester (possibly the earliest English author prohibited outside of England); Ulrich von Hütten, *libri omnes* (Hütten, while not listed in Louvain, had been recorded by Casa); Alcoranus *vel alii libri in arabigo ubi sunt errores sectae Mahometicae* (this is the first appearance in an Index of Arabic heresy). As late as 1790, the *Koran*, in every version, finds place in the Spanish Index, while there is a special prohibition of the Latin translation of the same that had been made in the 12th century by Peter of Cluny, and had been printed, *cum refutationibus variorum*, in Basel in 1543. In the Index of Quiroga, the *Koran* appears under the title *Machumetis . . . ejusque successorum vitae ac doctrina ipseque Alcoran . . . adjunctae sunt confutationes multorum una cum M. Lutheri praemonitione*, etc.

Reusch points out that this prohibition has to do not with the doctrines of the *Koran* but with the godless (*impia*) undertakings of the publisher, Theodor Bibliander of Basel. In the Index of Clement VIII, the entry appears, *Instructionum et rituum sectae Mahometanae libri omnes*. Since Benedict XIV, the prohibition comes under the general decree I, 11.

The antagonism on the part of the Protestant

authorities of Basel to the circulation of the *Koran* appears to have been more decided than that of the Inquisition. In 1536, the magistrates refused permission to Heinrich Petri to print an edition; and, in 1542, an edition printed by Oporinus was confiscated. The publisher appealed to the scholars, and the question of permitting the publication was discussed from the pulpits. On the receipt of an opinion from Luther in favour of Oporinus, the books were released on condition that when published they should not bear the imprint of Basel and that copies should not be sold within the city.

This Valdes Index contains but four Spanish titles, the writings of Enzinas and of Urrea, an anonymous *Dialogue of Christian Doctrine*, and a Spanish version, printed in Geneva, of Calvin's *Catechism*. This last title does not appear in later lists.

11. 1554. Valladolid. Senate of the Inquisition.— Index expurgatorius. Censura generalis contra errores quibus recentes haeretici sacram scripturam asperserunt. Edita a supremo Senatu Inquisitionis, constituto adversus haereticam pravitatem, et apostasiam in Hispania, et aliis regnis, et dominis Caesareae majestatis subjectis. Pinciae, ex officina Francis Ferdinan. Corduben. cum privilegio Imperiali. 1554.

The text is known through the reprint by Ziletus in Venice, in 1562.

The lists in this Index are devoted exclusively to Bibles, of which 103 editions are specified. Many of these find place in Louvain, 1550, and in Valdes, 1554, among the books entirely prohibited. Here, however, these Bibles are presented as open to censure on the ground of certain errors and heresies contained in the notes and introductions, which notes, etc., are ordered

to be cancelled or expunged. Copies thus corrected (by cancellations) are permitted to be left in the hands of their owners. This Index of Valdes is the first example of an *Index expurgatorius*. A number of such expurgatory Indexes were produced later under the authority of the Spanish Inquisition, but outside of Spain, the attempts to control literature through the expurgation of books already printed were but few. The futility of such attempts came to be recognised at an early date.

The editorial responsibility for this Index of 1554 rested with the Dominican, Alfonso Martinez, who was also the author of the *censura generalis*. The editor had the co-operation of the theological faculty of Alcala. The possessors of copies of the works specified are directed to deliver these within sixty days to the bishop of the diocese or to the local inquisitors. These officials are to take measures to cancel (*obliterare*) the offending notes, etc., so that they can no longer be read. The penalty for retaining uncorrected copies beyond the period of sixty days is *excommunicatio major latae sententiae*. The books themselves are to be destroyed, and their delinquent owners are to pay (apparently for each offence) a fine of thirty ducats. A similar punishment comes upon the bookseller who imports copies of these condemned editions. The publishing centres at that time actively engaged in the production of editions of the Scriptures are indicated by the imprints represented in the lists of this Index as follows: Antwerp, 14; Basel, 3; Lyons, 35; Paris, 11 (including 4 from Robert Estienne); Zurich, 1 (Froschover); Venice, 3. Two examples may be cited to illustrate the principles and the method of the censure.

Deuteronomy v, 9. *Solus Deus adorandus.*

Haec propositio, excludens adorationem sanctorum, est erronea.

Deut. xv, 11. *Alendi pauperes nec permittendi ut mendicant.*

Et ibidem. Prohibetur mendicitas.

Hae et similes propositiones injuriosae sunt et malitiose annotatae in odium religiosorum mendicantium.

Special condemnation is placed upon the Bibles printed by Estienne (Stephanus) as edited by Vatablus. The New Testament division is to be cancelled altogether, the errors being too many to expunge. The Old Testament can be retained with the cancellation of the notes (*scholia*).

12. 1554. Venice. The Inquisition. A few months after the publication of the Index of Milan, an Index was issued in Venice under the authority of the Venetian Inquisition. The papal Nuncio, Filippo Archinto (who succeeded Arcimboldi as Archbishop of Milan), shared with the inquisitors the responsibility for the preparation of the lists. Of the original issue no copy is known to exist. The description given by Reusch is based on the reprint published by the persistent Vergerio. The Index is accompanied by no decree. The catalogue bears as a heading the words: *Nomina eorum qui male de fide scripserunt quorum scripta a catholicis legi prohibentur.* The lists comprise a reprint of the titles of the Milan Index with the addition of some seventy entries. An appendix gives the decree of Gelasius (492) together with a few of the book prohibitions of the Middle Ages taken from Eymeric. This Venetian Index was utilised as the basis of the lists compiled for the Index of Paul IV.

The Venetian and Milan compilers themselves made use of the material collected by the Louvain compilers of 1550, and of the titles in the Casa Index of 1549. They had also taken from the catalogue of Lutzenburg and from the *Bibliotheca* of Gesner the names of a number of the heretics of the Middle Ages. Further names were secured, curiously enough, from the letters of Oecolampadius and Zwingli, and these last were cited so heedlessly that they include those of a number of persons who were not, in any respect, authors.[1] Reusch points out that in the endeavour, without adequate knowledge, to make their lists comprehensive, the compilers had been led to include a number of unimportant persons some of whom had published nothing religious or theological, while others were, as said, not authors at all. In some instances, large sounding entries cover simply the Latin rendering of the titles of insignificant German tracts (*flüg-schriften*).

The Venetian Index was reprinted (from Vergerio's reprint) in London, 1840, by Joseph Mendham, in connection with a reprint of the Index of Gregory XXI of 1835. Mendham uses as a general title, *The Literary Policy of the Church of Rome.* The compilers of this Index, like those of Milan, have included the names of a number of persons classed as heretics in the earlier Middle Ages and before the invention of printing, some of whom had never written anything, while of others no writings had been preserved. To this class belong the Wycliffite Richard "Anglicus," the Hussite, Mathias Boemus, Desiderius Longobardus, Joh. de Poliaco, Petrus de Aragonia, Joh. de Stuma, and Petrus de Luna. These names are taken from Lutzenburg.

[1] Reusch, i, 219.

Of the series of names taken from the Louvain Index of 1550, a number are so altered (either by scribes or by printers) as to be identified with difficulty. From the Index of 1546 are taken Petrus Lignius, and the *Facetiae of* Poggio and of Bebel. From Gesner are taken thirty writers some of whom are responsible for no books at all either in theology or religion.[1] The list includes Maturin Cordier, the instructor of Calvin, who appears for the first time in the Venetian Index. Other names and titles to be noted are Dante, for the *De Monarchia* (which was printed for the first time in 1559, in Germany, and first in Italy in 1658), Laurentius Valla, Hubmeyer (whose name was secured from a letter of Zwingli), Botzheim (friend of Erasmus), *Dialogi Obscurorum Virorum*, Eckstein, and Murnarus for his *Leviathan.*

The appendix contains a prohibition, taken from Eymeric, of all works on the subjects of geomancy, necromancy, and pyromancy.

13. 1558. Louvain. In December, 1557, an *ordonnance* of King Philip II directed the preparation by the theological faculty of Louvain of a revised and enlarged issue of the Index of 1550. This was printed, in Flemish and in French, in 1558. The preface, signed by the Rector of the University, states:

"It is well known to all that, since 1550, avowed heretics and others whose catholicity is not to be trusted, have brought secretly into the land pernicious and dangerous books, through the influence of which the heretics are confirmed in their errors and the faithful are led astray. It is the purpose of the present work to secure the destruction of the existing copies of this baneful literature and to protect the land

[1] Reusch, i, 225.

against the introduction of further similar books. *Le Catalogue des livres reprouvéz et des livres que l'on pourra lire aux enfans és escholles particulières, selon le jugement de l' université de Louvain. Imprimé par ordonnance de la Majesté Royale. Á Louvain. Par Martin Verhassett. Imprimeur juré. L' an de grace MDLVIII. Avec Grace et Privilège du Roy.*

(Then follows a second title-page in Flemish.)

The lists contain, with some corrections, the titles printed in 1550. The additions (distributed alphabetically) comprise about one hundred titles. The bibliography is much more correct, in the matter of names, book-titles, freedom from duplicate entries, and consistency of arrangement, than that of the Italian lists of the same period. Among the new names in Class I (authors all of whose works are condemned) are those of Jo. Athanisius Veluanus, Jo. Sleidanus, and Memno Symonis. The first should read: Jo. Anastasius (Jan Geeraerds ter Stege), Veluanus (Pastor in Veluve). There are twelve additional titles in the list of anonymous works.

The material of this Louvain Index was undoubtedly utilised by the compilers of the Index of Paul IV, but they managed to bring into their transcripts a number of errors that did not find place in the original.

14. 1559. Valladolid. Valdes.—Catalogus Librorum qui prohibentur mandato Illustrissimi et Reverend. D. D. Ferdinand de Valdes, Hispalen., Archiepi., Inquisitoris Generalis Hispaniae. Nec non et Supremi Sanctae ac Generalis Inquisitionis Senatus. Hoc Anno MDLIX editus. Quorum jussu et licentia Sebastianus Martinez, Excudebat Pinciae. The industrious Inquisitor-General had already, as we have seen, brought into print two Indexes; for the first of these he had utilised the lists

of the Louvain compilers, while the titles in the second were restricted to editions of the Scriptures.

This Index of 1559 is the first Spanish publication in which the lists represent original work on the part of the Spanish editors in the selection of literature to be condemned. The brief of Paul IV, printed in the Valdes Index, which bears date January 4, 1559, gives an indication of the independent character of the actions of the Spanish Inquisition. Paul states that the Inquisitor-General had informed him that the measures taken by the Inquisition against heretical and suspicious books had been hampered because of the licenses that had been accorded by the Curia, not only to divines but to many laymen, for the reading of such books. The Pope had, however (under his brief of December 21, 1558), recently recalled and cancelled all such licenses. He therefore charges Valdes to prohibit absolutely the printing, selling, reading, or possessing of such books, and to order, under the customary penalties, the delivery and destruction of all copies of the same. To the Inquisitor-General is given the fullest authority in the matter and no appeals from his decisions will be entertained. Paul makes no reference in the brief to the Index that had, under his instructions, just been brought into print in Rome, and while this is in form addressed to the whole world, the Pope appears to assume that as far as the Spanish dominions are concerned, the matter of heretical literature is to be left in the charge of the Spanish Inquisition. On his part, Valdes makes no reference to the Index of Paul, although it is hardly to be supposed that he had failed to examine it. In the editorial preface, Valdes informs the scholars and others who may, through ignorance of their character,

have been led into possessing and reading heretical books that these lists have been prepared for their help and guidance. He says further that those who, with the information presented in these catalogues, may continue to print, import, sell, read, or possess copies of the books specified shall be punished with a fine of two hundred gold ducats and with the greater excommunication (*latae sententiae.*) Those who may take part in the translating of these works shall be liable to the same penalties. A curious exception is given in favour of Seb. Martinez, who is permitted, under the instructions of the Inquisition, to print certain of the forbidden works. At the close of the Index, the statement is made that there are many heretical and dangerous books in addition to those whose titles are here given, and that lists of these will be issued later. In connection with the enforcement of the provisions of the Index (a task which was carried out by the Inquisition of Spain with a thoroughness that was never attempted elsewhere), the confessors were instructed, under penalty of the "reserved excommunication," to secure from all their penitents information concerning heretical literature possessed either by themselves or by others.

Through a brief of January 7th, Valdes is given authority, for a term of two years, to take measures against bishops who may be charged with the utilising of heretical literature, and, if necessary, to relieve them of their duties and to place them in confinement. He is instructed to report to the Curia such cases of arrest and to send to Rome the record of the evidence. This special authority appears to have been secured by Valdes for the particular purpose of proceeding against Carranza, Archbishop of Toledo. Through a brief

of January 11th, King Philip II is instructed to take such measures as might be necessary for confirming and carrying into effect the regulations of the Inquisition. Professors who had been applying themselves to the study of Oriental languages were not to be freed from the obligation to deliver up, under penalty of excommunication, (possibly for revision or for the cancellation of heretical notes,) copies of the Scriptures in Hebrew or in Greek. Such copies in the hands of the booksellers were to be destroyed. Among the books specially marked out for sequestration, were works of grammar containing the notes of Melanchthon (who was at the time largely engaged in the compilation of school-books to replace the earlier monkish texts); all Bibles printed in Germany since 1519 without the imprint of the publishers; the editions of St. Chrysostom by Oecolampadius and Musculus (the first complete editions, by the way, of the works of this Father that had yet appeared), and the Commentaries of Vadiamus on Pomponius Mela.

The editions with heretical imprints, which had been proscribed by Paul, of such authors as Lucian, Aristotle, Plato, and Seneca, were not forbidden by Valdes.

The Index of Valdes differs from that of Paul in two respects:

First, the books are classified according to languages, the order of arrangement being Latin, Spanish, Flemish, Low German, High German, French, and Portuguese. The arrangement of titles is roughly alphabetical, with frequent confusion in connection with forenames and surnames.

Secondly, Valdes does not undertake to present the three classes which had been accepted as a precedent for the Roman Indexes. Class I may be said, however,

to find place in the general alphabet in which appear the names of a number of authors with the prohibition of *opera omnia*. The formula *donec corrigatur* does not find place in the Valdes Index.

A large portion of the titles in this Valdes Index are taken from the lists in the Spanish reprint of the Louvain Index of 1550. It is difficult to trace the principle on which either the omissions or the selections of these Louvain titles have been arrived at. The additions made by the compilers of the Inquisition cover in the main such of the Reformation writings as had found their way into Spain through the Low Countries. The editors make no reference to preceding Indexes but present this as if it could be accepted as a substantially complete guide for believing readers. The *Historia Ecclesiastica* of Albert Kranz (1517) finds place in the Valdes Index for the first time among prohibited books. Bellarmin writes later that the editions of this historian are to be condemned simply on the ground of the godless notes added by heretical editors.

A noteworthy title which also here first finds condemnation is that of the *Gesta Romanorum*. The compilation of these old legends of the Church has been ascribed to the Cistercian Helimand (†1227). This book was first condemned in 1472, when the first printed edition was issued in Cologne. It was often reprinted. An edition was issued in New York as late as 1901.

Another prohibited title is that of *Hortulus Animae Absque Nomini Authoris*. Of this book there had been a great variety of editions, in one or more of which heretical editors had included scoffing pictures. The text included fifteen prayers of St. Bridget. Of these

prayers it was said that if they should be repeated during an entire year, fifteen souls would be saved from everlasting punishment. In the same edition, there is a prayer to the Virgin to which was ascribed especial soul-saving value. In Aragon, for instance, in the year 1290, one sinner who had during the preceding year sung this hymn daily, was able, after being beheaded, to retain his soul in the body until all his sins had been confessed and he had received absolution. It would seem as if this book belonged to the class that should have been retained *donec corrigatur.*[1]

Llorente, in his description of this Index, refers to a story of Saint Theresa, who, when she complained of the unjust proscriptions of certain orthodox books, was answered by the Lord: "Disturb not thyself, I will give thee the book of life."

The entry in the Index of 1559 under the name Desiderius Erasmus is noteworthy. The name is placed in Class I, comprising authors all of whose writings are prohibited. After the name of Erasmus however, there follows a specific prohibition as follows: *Cum universis Commentariis, Annotationibus, Scholiis, Diologis, Epistolis, Censuris, Versionibus, Libris et Scriptis suis, etiam si nil penitus contra Religionem vel de Religione contineant.* This specific condemnation, in addition to that expressed under the term *opera omnia*, would appear to have included the edition prepared by Erasmus of the Greek Testament. It may be borne in mind, however, that the latter had secured the approval and very cordial commendation of Pope Leo X, to whom the work had been dedicated. The Pope wrote, in 1516, a letter in which he em-

[1] Schelhorn, *Amoenitates historiae ecclesiasticae et literariae.* Frankfort and Leipsic, 1737.

phasises the exceptional service rendered by Erasmus in this work to the study of sacred theology and to the maintenance of the true faith. A curious comment made upon this action of the Pope, in the Spanish Index of 1612, may be inserted here. In the expurgatory division, under the article devoted to *Erasmi Roterodami Opera*, at the beginning of the censures on the sixth volume, is printed: *Ad marginem Epistolae Leonis P. P. X. ad Erasmum, quae incipit, Dilecte Fili, salutem, et adscribe: Dulcibus encomiis pius Pater nutantem ovem allicere conatur* ("With gracious commendations the Holy Father endeavours to attract [win back] the wandering sheep").[1]

Another noteworthy detail in the Index of 1559 is the entry in the list of works condemned of the title *Liber inscrip. consilium * * * de emendanda ecclesia.* This *Consilium* was a report presented by an assembly of four cardinals (including the Englishman, Pole) and five prelates, which had been instructed by Pope Paul III, in 1537, to give him counsel in regard to the reform of the Church. The report or *Consilium* was more outspoken (in regard to corruptions, etc.) than was considered desirable, and when one of the body, Cardinal Caraffa, assumed the tiara (as Paul IV) he caused his own *Advice* to be placed on the list of prohibited books. The Index of 1559 also contains a condemnation of the work by Aeneas Sylvius (afterwards Pius II), *Commentaria de actis et gestis Concilii Basileen.* In the Tridentine Index, this condemnation is modified to read, *In actis Aeneae Silvii prohibentur ea quae ipse in bulla retractationis damnavit.* It is not out of order to assume that when a man has become a pope, he may be in a position to see things more

[1] Cited by Mendham, 48.

clearly and to correct the errors of his fallible days.

14. 1559. Rome. This is the year of the accession of Paul IV, by whose name the Index of 1559 is known. Its lists were in part based upon the Louvain Index of 1558, and were themselves utilised in the preparation of the Tridentine Index of 1564. It was published during the second interregnum in the council, 1552–1562. The title is:

Index Auctorum et Librorum qui ab officio Sanctae Rom. et Universalis Inquisitionis caveri ab omnibus et singulis in universa Christiana Republica mandantur, sub censuris contra legentes, vel tenentes libros prohibitos in Bulla quae dicta est in Coena Domini expressis et sub aliis poenis in Decreto ejusdem Sacri officii contentis. Index venundatur apud Antonium Bladum. Cameralem impressorem de mandato speciali Sacri Officii, Romae Anno Domini, 1559, Mense Jan.

This is followed by the prohibitory decree of the Inquisition, with a specification of the punishments for transgression as set forth in the *Bulla Coenae Domini.* To these penalties are added others, *nostro arbitrio infligendis.* The chief penalty was the *excommunicatio latae sententiae.* The Index itself is presented in three schedules or divisions arranged alphabetically: I. Authors, all of whose writings, past or future, are condemned. II. Books, classified by authors. III. Anonymous works.

Then follows a list of *Biblia Prohibita*, and of New Testaments, with a general prohibition of all similar translations; and finally a list of sixty-one printers (printer-publishers) all of whose publications are condemned. The formula *donec corrigatur*, later so general, occurs in this Index but once. It is connected with Boccaccio's *Decameron.* In Trent, the prohibi-

tion was confirmed subject to expurgation. The text of the *Decameron* was duly corrected by a commission of five, and thus corrected was published in Florence in an authorised and privileged edition in 1572. The revision eliminated from the *Decameron* the obnoxious references to ecclesiastics, but left in the text a number of episodes *contra bonos mores* which had to do only with laymen. The revisers had, in some of the stories, changed the nuns into noble ladies, the monks to conjurers, an abbess to a countess, etc.[1] Paul includes in his Index a prohibition of the treatise or report that had been prepared in 1538, under the instructions of Paul III, by a commission of nine and printed in the papal printing office under the title of *Consilium delectorum cardinalium et aliorum praelatorum de emendanda ecclesia.* Cardinal Caraffa, later Paul IV, was a member of the commission. The *Consilium* was issued by Luther, in 1539, in a German version, with a polemical commentary. It was again printed by the ever-watchful Vergerio in 1559, the year of Caraffa's elevation to the Papacy. Vergerio did not fail to point out that the Pope was condemning a work for the production of which he was himself in part responsible. The prohibition remained on the Index until 1758. In the Index of this year, the prohibition was modified so as to cover only the editions printed with heretical commentaries. The work closes with a form of license to be secured for the reading of the works prohibited. This license was, for some reason, omitted from the later reprints of the Index.

The Index of Paul is described by the Catholic historian Gretser, but he admits that his information

[1] For further reference to the expurgated editions of the *Decameron*, see Chapter XXV, on the book-trade of Italy.

concerning it is derived from the Protestant critic Vergerio. This is the first Index prepared under the direct supervision of the Pope, and the first which bears the official designation of "Index," the previous lists having been termed catalogues. Editions of Paul's Index appeared within the year 1559 in Bologna, Venice, Genoa, and Avignon. In 1560, the indefatigable Vergerio reprinted it with a critical, or rather polemical introduction. In the same year, Vergerio published, separately, a treatise (in Latin and Italian) devoted to an attack upon the inquisitors who were responsible for the Index of Paul IV.

The title of the Latin edition of Vergerio's work reads: *Postremus Catalogus Haereticorum Romae Conflatus. 1559. Continens Alios Quatuor Catalogos qui post Decennium in Italia nec non eos omnes qui in Gallia et Flandria post renatum Evangelium fuerunt editi. Cum Annotationibus Vergerii, MDLX Colophon. Corvinus excudebat Pfortzheimii, 1560.* The volume is dedicated to Count Stanislaus. The Italian edition was printed at Ulm and dedicated to the King of Bohemia. The author's preface is dated from Tübingen. The author states that the Index or Catalogue of 1559 was concocted by the Pope with the concurrence of six inquisitors only. Vergerio goes on to say that when, ten years back, the Pope observed that the Gospel and books favourable to the Gospel were making their way into Italy, he published, in imitation of the divines of the Sorbonne and of Louvain, a small catalogue condemning seventy books.

The *Annotations* of Vergerio, irrespective of the interest of their severe criticisms on the judicial action and the bibliographical blunders of the inquisitors, have proved of service in preserving the most complete

enumeration of the Italian Indexes prior to 1559. The sources of information concerning these earlier Indexes are, in fact, so scanty and in the main so untrustworthy that the papal historians themselves have been under the necessity of accepting the record of their Protestant critic.

The task of compiling the Index of 1559 had been confided by Paul to Cardinal Caraffa and his associates of the Roman Inquisition. An impression was struck off in 1557, but was cancelled on account of errors that had come to light. The lists as reprinted in 1559 had had the advantage of collation with the Louvain Index of 1558. The papal brief (dated December 21, 1558) follows in the main the text of that of Julius III, of 1550, but there is some new material. One of the earlier sentences is typical of the difficulty of the problems with which the Church found itself confronted:

"A number of ecclesiastics, both regular and secular, who were hopeful of being able to combat the Lutherans and the other heretics of our time and to overthrow their heretical doctrines, and who secured for the purpose permission from the Apostolic Chair to read the works of these heretics, found themselves confused and influenced by these writings so that they were quite largely led astray and perverted into the acceptance of heretical errors. It has therefore, been found necessary to recall and to cancel all such permits issued in Briefs or in Bulls, whether given to bishops, archbishops, or cardinals, to marquises, dukes, kings, or emperors."

The only exceptions to this general cancellation are in the case of the inquisitors-general and certain cardinals, who may, from time to time, be charged by the Curia with special duties in the examination

and classification of literature. Copies of the books condemned are to be delivered to the officials appointed by the Inquisition for the purpose. All the faithful are charged with the duty of giving information concerning such copies as may become known to them. The brief is to be published in Rome by the Inquisition and elsewhere by each bishop in his own diocese. The lists in the first class include (given, for the most part, in two places under both surname and forename) Calvin, Luther, Melanchthon, Zasius, Pirckheimer. Cassander, Blaurerus, Oecolampadius, Zwingli, Islebius, and Hütten (printed Huldrychus Huttenus). English names to be noted are John Rogers (printed John Rochors), Nicholas Ridley (Nic. Ridlaeus), and Thos. Cranmer. The name of Erasmus, omitted here, finds place in Class II against several of his works. These lists are, says Vergerio, marked by many errors and inconsistencies. In the third class, under the heading *Libri* are given certain general prohibitions of which the following may be cited as examples:

All books and tracts (pamphlets) are forbidden, whatever may be their titles, or their subject-matter, and in whatever language they may be written . . . and whether they be original productions or translations, which have been written by heretics, or which may be printed by heretics. . . even when such books contain no material bearing upon faith or religion.[1] Also all books which, within the preceding forty years have been issued without the name of the author, and the name and address of the printer, or for which have not been secured the approval and license of the bishop or inquisitor, or of some other official appointed

[1] In the Index of Trent, the permit of the bishop was required only for works on sacred subjects, *de rebus sacris*.

for the purpose by the pope or by the inquisitors. Record of such permit must be printed in each copy of the book. Forbidden also are all books having to do with the subjects of aeromancy, cheiromancy, physiognomy, geomancy, hydromancy, oneiromancy, pyromancy, or necromancy, divination, magic, or astrology, (exceptions are made in favour of treatises on natural science planned for the guidance of mariners, agriculturists, or physicians); and all books which have been or shall be condemned under the decrees of popes or of councils.

The prohibition of every work that had been produced, or that might thereafter be produced, from the presses of printers classed as heretics (of whom sixty-one were specified by name) constitutes a new feature in the system of Indexes, and is evidence of the importance that had come to be associated with the influence of the printer-publishers of the time. The list is alphabeted by forenames. It comprises: for Augsburg 1, Sig. Grym; for Basel 15, the most important being the brothers Petri, Oporinus, Cratander, and Wolfius; for Frankfort 1, Brubachius; for Genoa 5; for Marburg 2; for Hagenau 1; for Leipzig 2, Blum and Wohlrab; for Nuremburg 5, including Montanus; for Poschlav (Bohemia) 3; for Strasburg 9, including Ulricher and the brothers Richelius; for Tübingen 1, Morhadius; for Venice 1, Brucciolus; for Wittenburg 5, including Rau, Crato, and Klug; for Zurich 3, including Gesner; for Paris 1, but that one noteworthy, Robert Estienne, the most scholarly publisher of his generation; without specification of place, 5. The selection of firms gives an indication of the places which in this matter of heretical publishing were at that time considered to be the sources of

danger for the doctrines and for the believers of the Church. The omission of any name from the Low Countries would indicate that the books from the Dutch and Flemish presses were not making their way into Italy and were not known to the members of the Roman Inquisition.

Christopher of Padua, General of the Augustinians, who had had to do with this Index, stated at Trent that in the work of its preparation, careful examination had been made of all the heretical books in the library of the Vatican. The compilers had utilised, in addition to the lists of Louvain, of Venice, and of Casa, certain lists which Reusch traces to the "Library" (Bibliothek) of Gesner, and to Cochlaeus's *Historia de Actis et Scriptis M. Lutheri.* Further titles are taken from the "Letters" of Oecolampadius and of Zwingli. Certain omissions of noteworthy and "deserving" names or titles, which were available in previous lists, such as Beza, recorded in the Venice Index, and the *Epistolae Obscurorum Virorum*, which appears in Louvain, were due doubtless simply to oversights in transcribing. A curious entry in Class II is *Arturus Britannus*, which stands for the *Legend of King Arthur* and which is responsible for the appearance in later Indexes of the heretical author "Thomas Arturus." The entry in Class I of the name of an author was not permitted to stand in the way of a separate condemnation in Class II or in Class III (under individual titles) of his more pernicious productions.

This Index of Paul IV seemed to call for some special measure of attention in this schedule, because it is the first prepared in Rome under the direct instructions of the pope, and because in its general purpose and policy, in the method of its compilation, in its character-

istic features, and its bibliographical errors, it was typical of the whole series of Indexes, and was in fact quite closely followed not only by that of Trent, but by not a few of those that came later. The policy of the Church in its contest with the perils of an uncontrolled printing-press may be said to have been marked out in 1559 by Paul IV and his associates. The fact that the lists included, in addition to works by admitted heretics and to those concerned with matters of theology, faith, and dogma, a number of books by Catholic writers in good standing, others whose subjects were entirely outside of theology and religion, and a further number whose only fault was that of being printed by heretical printers, is an indication of the wide view taken by the framers of the Index, and doubtless by Paul himself, as to the responsibilities of the Church in the supervision of literature. The Index of Paul may also be considered as a declaration that the responsibility for the supervision and characterisation of literary productions belonged properly to the head of the Church and could not safely be left to be cared for by princes, universities, or local inquisitors. It seems very probable that Paul and his advisers of the Roman Inquisition had such a contention in mind, but as the record of the production of later Indexes makes clear, the authorities in Rome proved unequal to the task of controlling the prohibition of books, and were obliged to accept, with more or less protest, a considerable series of Indexes compiled under the direction of kings, princes, universities, local inquisitors, and local ecclesiastics. The fact that the work came to be carried on by a number of authorities of varying character and with certain inevitable differences of purpose, of policy, and of method, caused

the results to be more or less inconsistent and incongruous. An obedient believer, whose desire was simply to accept and be guided by the instructions of the authorities, might easily have found himself not a little perplexed at the conflicting instructions that came to him in regard to this matter of pernicious literature, in the two centuries between the Index of Louvain and that of Benedict XIV. An example of the effect produced by this Index on the mind of one Roman scholar is given in a letter written in January, 1559 (immediately after the publication of the Index) by Latinus Latinius to Andrea Masius[1]:

"Why should you be planning for the publication of any new works at a time when nearly all the books which have thus far appeared (*qui adhuc sunt editi*) are being taken away from us? It seems to me that at least for some years to come, no one among us will dare to write anything but letters. There has just been published an Index of the books which, under penalty of excommunication, we are no longer permitted to possess. The number of those prohibited (particularly of works originating in Germany) is so great that there will remain but few. On this ground, I advise you to put to one side your variants of the Bible and the translation of Demosthenes. Faernus has been devoting some days to the 'purifying' of his library; I shall begin to-morrow going over my own collection so that nothing may be found in it which is not authorised. Should I describe the process as a shipwreck or a holocaust of literature? In any case this [censorship] must have the result of deterring many of your group from the production of books, and will serve as a warning to the printers to be cautious in making selections for their presses."

It may be understood, although it is not specifically

[1] Cited by Mendham, 53

so stated, that the books delivered over to the bishops or inquisitors were burned. Natalis Comes writes (possibly with some rhetorical exaggeration), "There was everywhere such a conflagration of books, that one was reminded of the burning of Troy. Neither private nor public libraries were spared, and many were nearly emptied. . . . In all the cities of Italy, readers were mourning for their lost treasures."[1] A letter from Bologna dated February 11, 1559, says: "The prescriptions of the Index are obeyed here. Nothing is permitted but the *Thesaurus linguae latinae* and the *Commentaries* of Dolet. Of the writings of Erasmus, one is permitted to retain nothing but one or two of the translations [of the Fathers] and in these the name of the translator must be cancelled."[2]

Bullinger writes to Ambrose Blaurer: "In Rome, Paul IV is burning books, and among others, all the writings of Erasmus. Even the works of Cyprian, Jerome, and Augustine are included because they have been rendered pernicious through the notes of Erasmus."[3]

Paul IV died in August, 1559, and after his death, the enforcement of the provisions and regulations of his Index was very materially relaxed. In Venice (a State which in connection with its early and important interests in the production of books maintained from the outset a protest against the efforts of Rome to control the work of the printing-press) this Index was never put into force. The Viceroy of Naples and the Governor of Milan refused to permit the publication of the Index in their territories, but referred the matter to the King of Spain. The magistrates of Basel, Zurich, and Frankfort and of other centres of

[1] *Historia Sui Temporis*, xi, 262.
[2] Cited by Reusch, i, 297.
[3] Huttinger, 9, 408.

book-production made application to Cosmo, Duke of Tuscany, to protect the interests of their printers. A report prepared for Cosmo by the jurist Livio Torelli stated that the execution of the papal decree would bring upon Florence an immediate loss in property of 100,000 ducats, and would cause the ruin of the printer-publishers and booksellers whose business was of increasing importance to the city; while it would also call for the destruction of the supplies of Bibles and classics and of other valuable literature which had been produced for Italian scholars by the printers of Germany and of France. Under pressure from the Cardinal of Alessandria, the Duke finally ordered the burning of all books which were opposed to religion and of those having to do with magic and astrology, which order was duly carried out on the 8th of March on the Piazza San Giovanni. The Duke refused to permit the destruction of books outside of those two classes, and (as patron of the monastery) prohibited the monks of San Marco, who wanted to carry out the decree in full, from burning any of the volumes presented by his predecessors to the library of the monastery. Outside of Italy, excepting in the town of Avignon, very little attempt was made to put into force the provisions of the Index. In Spain, it was never brought into print. In France, the application for a privilege to print was referred to a committee of doctors of the Sorbonne, and from this committee no report appears to have been made. Arias Montanus writes November 16, 1571: "This Index has caused indignation to all scholars, and not only in France and in Spain, but in many portions of Italy, they decline to respect its injunctions." [1] Even in the preface to the Index of Trent, it

[1] *Mémoires de la R. Acad. de Hist.*, vii, 154.

is noted that the Index of Paul IV had failed to secure acceptance in many provinces because it included in its lists of prohibited books many whose use was essential for scholars. In several respects, the framers of the Index of Trent, which became the authority for the Church, found occasion to modify and to mitigate the sweeping severity of the provisions of the Index of Paul, while Valdes, Inquisitor-General of Spain, refused to permit these provisions to be put into force within that kingdom. It is evident that the officials who had, under the instructions of Paul, compiled this first Roman Index were considered by many of their contemporaries, as well as by their successors, to have done their work in too sweeping a fashion, and with an ignorance, or a disregard of, the legitimate requirements of scholars in good standing within the Church, who had a just claim to consideration.

A repeated complaint on the part of the critics of the censorship operations under Paul IV was the ignorance and the heedlessness of the examiners who had in their hands the responsibility for passing upon the works of scholars. The books of the great leaders of thought were, it was charged, placed under the control of ignorance and mediocrity. The work of a learned commentator of St. Chrysostom or of the Psalmist was to be condemned by examiners who had no knowledge either of Greek or of Hebrew. Under such a system, it might still be possible for scholars to carry on their researches with a patience adequate for the production of compilations, but it was not possible to preserve for original thinkers the serenity of soul and the independence of spirit required for the production of really great works.

CHAPTER VIII

THE COUNCIL OF TRENT AND THE INDEX OF PIUS IV, 1564.

Rome, 1564. Pius IV, Council of Trent.—Index librorum prohibitorum cum regulis confectis per Patres a Tridentinae Synodo delectos, auctoritate Sanctis D. N. Pii IV Pont. Max., comprobatus. Romae, apud Paulum Manutium, Aldi F. 1564.

This is the first Index which has behind it the authority of a general council.

As early as April, 1546, in the fourth session, a papal decree entitled *De editione et usu librorum sacrorum* was received and accepted by the council. This presents the general grounds for the authority of the Vulgate, the principles that are to control the interpretation of the Scriptures, a prohibition of any wrongful use or citations of the works of the Bible, and, finally, instructions to the council to frame regulations for the supervision and control of the work of the printing-press, "the operations of which as now uncontrolled tend to pernicious license and injury to the faith of the community and to the authority of the Church." Certain suggestions follow concerning the necessity for a close supervision of the text of the Scriptures to the end that it may be printed without error, omission, or interpolation, and the further necessity of forbidding the printing of any books having

to do with religion or with the Scriptures which have not secured the approval of examiners appointed by the Church. The approval of such books must be given in writing and must be recorded in every written or printed copy. Anonymous books must in no case receive approval.[1]

Two archbishops, Beccatelli and Selvaggio, deprecated the discussion of the subject as calculated to impede the principal object of the council; since Paul IV had, with the counsel and assistance of all the Inquisitions, formed a most complete catalogue, nothing could be added but books edited within the two years that had elapsed since its publication, an act undeserving of the labour of the synod. To reverse any condemnation in that Index would be to reflect imprudence on Rome; and while such action would lessen the authority of the Index of Paul, it would also injure the Council itself In the redundance of books since the invention of printing, it were better that a thousand innocent ones should suffer than that one guilty should escape. Neither should reasons be given which would provoke opposition and would impair the dignity of laws that ought to rest simply upon their own authority. Correction and expurgation were likewise deemed inexpedient as tending to invite criticism and to make enemies. A contrary opinion, however, prevailed and at the eighteenth session, a decree was passed declaring that as the disease of pernicious books had not yielded to the salutary medicine hitherto applied, it was deemed proper that certain Fathers should be appointed diligently to examine and to state to the council what was necessary to be done respecting the censure

[1] *Zeitsch. für Phil.*, 26, 289.

of books. In its last session, the council referred to the judgment of the pope the work that had been prepared by its committee, and publication of the same was made in Rome in 1564.

The most permanent portion of the work of this council was the series of Ten Rules prepared as a guide and instruction for all ecclesiastics or other authorities who might thereafter be charged with the duty of literary censorship. These Rules were reprinted in nearly all subsequent papal Indexes, while in the Spanish Indexes they formed the basis of the more or less modified Rules promulgated by the inquisitors. Sixtus V (1585) replaced the Tridentine Rules with a new series of regulations, but they were reissued by Clement VIII (1592) with a few additions. They find place in the two Indexes of Leo XIII, 1896 and 1900.

The Ten Rules of the Tridentine Index [1]

I. All books condemned by the supreme pontiffs, or general councils, before the year 1515, and not comprised in the present Index, are, nevertheless, to be considered as condemned.

II. The books of heresiarchs, whether of those who broached or disseminated their heresies prior to the year above-mentioned, or of those who have been, or are, the heads or leaders of heretics, as Luther, Zwingli, Calvin, Balthasar, Pacimontanus, Swenchfeld, and others similar, are altogether forbidden, whatever may be their titles or subjects. And the books of other heretics, which treat professedly upon religion, are totally condemned; but those which do not treat upon religion are allowed to be read, after having been

[1] The translation is that of Townley, ii, 429–485.

examined and approved by Catholic divines by order of the bishops and inquisitors. Those Catholic books also are permitted to be read which have been composed by authors who have afterwards fallen into heresy, or who, after their fall, have returned into the bosom of the Church, provided these have been approved by the theological faculty of some Catholic university, or by the general Inquisition.

III. Translations of ecclesiastical writers, which have been hitherto published by condemned authors, are permitted to be read, if they contain nothing contrary to sound doctrine. Translations of the Old Testament may also be allowed, but only to learned and pious men, at the discretion of the bishop; provided they use them merely as elucidations of the Vulgate version, as a means of understanding the Holy Scriptures, and not in place of the sacred text itself. But translations of the New Testament made by authors of the first class of this Index are allowed to no one, since little advantage, but much danger, generally arises from reading them. If notes accompany the versions which are allowed to be read, or are joined to the Vulgate edition, they may be permitted to be read by the same persons as the versions, after the suspected places have been expunged by the theological faculty of some Catholic university, or by the general inquisitor. On the same conditions, also, pious and learned men may be permitted to have what is called the Bible of Vatablus, or any part of it. But the preface and *Prolegomena* of the Bible published by Isodorus Clarius are, however, excepted; and the text of his editions is not to be considered as the text of the Vulgate edition.

IV. Inasmuch as it is manifest from experience that

if the Holy Bible, translated into the vulgar tongue, be indiscriminately allowed to every one, the temerity of men will cause more evil than good to arise from it, this matter is referred to the judgment of the bishops, or inquisitors, who may, by the advice of the priest, or confessor, permit the reading of the Bible, translated into the vulgar tongue by Catholic authors, to those persons whose faith and piety, they apprehend, will be augmented, and not injured, by it; and this permission they must have in writing. But if any one shall have the presumption to read or possess it without permission, he shall not receive absolution until he have first delivered up such Bible to the ordinary. Booksellers, however, who shall sell or otherwise dispose of Bibles in the vulgar tongue to any person not having such permission, shall forfeit the value of the books, to be applied by the bishop to some pious use; and be subjected to such other penalties as the bishop shall judge proper, according to the quality of the offence. But regulars shall neither read nor purchase such Bibles without a special license from their superiors.

V. Books of which heretics are the editors, but which contain little or nothing of their own, being mere compilations from others, as lexicons, concordances, apophthegms, similies, Indexes, and others of a similar kind, may be allowed by the bishops and inquisitors, after there have been made, with the advice of Catholic divines, such corrections and emendations as may be deemed requisite.

VI. Books of controversy betwixt the Catholics and heretics of the present time, written in the vulgar tongue, are not to be indiscriminately allowed, but are to be subject to the same regulations as Bibles in

the vulgar tongue. As to those works in the vulgar tongue which treat of morality, contemplation, confession, and similar subjects, and which contain nothing contrary to sound doctrine, there is no reason why they should be prohibited; the same may be said also of sermons in the vulgar tongue, designed for the people. And if in any kingdom or province, any books have been hitherto prohibited as containing things not proper to be read without selection by all sorts of persons, they may after correction, if written by Catholic authors, be allowed by the bishop and inquisitor.

VII. Books professedly treating of lascivious or obscene subjects, or narrating or teaching these, are utterly prohibited, since not only faith but morals, which are readily corrupted by the perusal of them, are to be considered; and those who possess them shall be severely punished by the bishop. But the works of antiquity, written by the heathen, are permitted to be read, because of the elegance and propriety of the language; though on no account shall they be suffered to be read by young persons.

VIII. Books, the principal subject of which is good, but in which some things are occasionally introduced tending to heresy and impiety, divination, or superstition, may be allowed, after they have been corrected by Catholic divines, under the authority of the general Inquisition. The same judgment is also given concerning prefaces, summaries, or notes, taken from condemned authors, and inserted in the works of authors not condemned; but such works must not be printed in future, until they have been amended.

IX. All books and writings of geomancy, hydromancy, aeromancy, pyromancy, onomancy, cheiro-

mancy, and necromancy; or which treat of sorceries, poisons, auguries, auspices, or magical incantations are utterly rejected. The bishops shall also diligently guard against any persons reading or keeping any books, treatises, or indexes which treat of judicial astrology or contain presumptuous predictions of the events of future contingencies, and fortuitous occurrences, or of those actions which depend upon the will of man. But such opinions and observations of natural things as are written in aid of navigation, agriculture, and medicine are permitted.

X. In the printing of books or other writings, the rules shall be observed which were ordained in the tenth session of the Council of Lateran, under Leo X. Therefore, if any book is to be printed in the city of Rome, it shall first be examined by the vicar of the pope or by the master of the sacred palace or by other persons chosen by our most holy Father for that purpose. In places other than Rome, the examination of any book or manuscript intended to be printed shall be referred to the bishop with whom shall be associated the inquisitor of heretical pravity of the city or diocese in which the printing is done, and these officials shall without charge, and without delay, affix their approbation to the work, in their own handwriting, such approval being subject, however, to the pains and censures contained in the said decree; there is the further condition, that an authentic copy of the book to be printed, signed by the author himself, shall remain in the hands of the examiner; and it is the judgment of the Fathers of the present deputation that those persons who publish works in manuscript before these have been examined and approved, should be subject to the same penalties as those who print

them; and that those who read or possess such books should be considered as the authors, if the real authors of such writings do not avow themselves. The approbation given in writing shall be placed at the head of the books, whether printed or in manuscript, that they may appear to be duly authorised; and this examination and approbation, etc., shall be granted gratuitously.

Moreover, in every city and diocese, the houses or places in which the work of printing is carried on, and also the shops of booksellers, shall be frequently visited by persons deputed for that purpose by the bishop or his vicar, conjointly with the inquisitor of heretical pravity, so that nothing that is prohibited may be printed, kept, or sold. Booksellers of every description shall keep in their libraries a catalogue, signed by the said deputies, of the books which they have on sale, nor shall they keep, or sell, nor in any way dispose of, any other books, without permission from the deputies, under pain of forfeiting the books, and of liability to such other penalties as shall be judged proper by the bishop or inquisitor, who shall also punish the buyers, readers, or printers of such works. If any persons import foreign books into any city, they shall be obliged to announce them to the deputies; or if this kind of merchandise be exposed to sale in any public place, the public officers of the place shall signify to the said deputies that such books have been brought; and no one shall presume to read, or lend, or sell any book which he or any other person has brought into the city, until he has shown it to the deputies, and obtained their permission, unless it be a work well known to be universally allowed.

Heirs and testamentary executors shall make no use

of the books of the deceased, nor in any way transfer them to others, until they have presented a catalogue of them to the deputies, and have obtained their license, under pain of confiscation of the books, or the infliction of such other punishment as the bishop or inquisitor shall deem proper, according to the contumacy or quality of the delinquent.

With regard to those books which the Fathers of the present deputation shall examine, or correct, or deliver to be corrected, or permit to be reprinted on certain conditions, booksellers and others shall be bound to observe whatever is ordained respecting them. The bishops and general inquisitors shall, nevertheless, be at liberty, according to the authority they possess, to prohibit also such books as may appear to be permitted by these rules, if they deem such prohibition necessary for the good of the kingdom or province or diocese; and the secretary of these Fathers, shall, according to the command of our holy Father, transmit to the notary of the general inquisitor the names of the books that have been corrected, as well as of the persons to whom the Fathers have granted the power of examination.

Finally, it is enjoined on all the faithful that no one presume to keep or read any books contrary to these Rules, or prohibited by this Index. But if any one read or keep any books composed by heretics, or the writings of any author suspected of excommunication, and those who read or keep works interdicted on another account, in addition to the burden of mortal sin, shall, at the discretion of the bishops, be severely punished.

In advance of the Rules are printed the Bull of the Pope, dated Rome, March 24, 1564, and a preface by Francis Forerius, secretary of the deputation or com-

mission which had been charged with the compilation of the Index. Forerius states that this Index is intended to take the place of that prepared at Rome by the inquisitors (that of Paul IV) because that had included certain books which did not deserve to be prohibited, and also because it had not been generally accepted.

Notes on the Ten Rules

I. This follows in substance the regulation of Paul IV. Sixtus added: "To be excepted are certain books which, notwithstanding the errors contained in them, the Church has found it desirable to preserve as records of ecclesiastical traditions and old-time usages, or as evidence to be used in the specification and condemnation of heretical doctrines, as is set forth in the decree of Pope Gelasius I" (492). Gelasius, however, does not prohibit the reading of the condemned books, and in fact no such prohibitions occur before the 16th century.

II. A somewhat similar distinction between heresiarchs and ordinary heretics finds place in Louvain, 1546. The definition of heresiarchs might, however, have been made a little more precise for the information of the faithful, or a complete list of them might have been given, as was done later by Quiroga (1594) and by Sixtus.

III. The later Indexes of Sixtus(1585), Alexander VII (1655), and Benedict XIV (1756) proscribed, with some slight modifications in the wording, all editions of the Scriptures edited or printed by heretics. Alexander added, "the Holy Script or any portions of the same which have, since 1515, been printed in metrical form." Benedict restricts this prohibition to metrical versions produced by heretics.

IV. Paul IV had permitted the reading of the Bible in the vernacular only under authorisation of the Inquisition. Sixtus replaced the milder regulation of Trent with his rule No. 7. The possession of the Scriptures or of portions of the Scriptures printed in the popular tongue is prohibited except under special authority of the Curia. Paraphrases in the vernacular are unconditionally condemned. In later Indexes, the prohibition was extended to cover all "summaries" and historical compends of the Bible in the vulgar tongue. The acceptance of these prohibitions varied in different lands and in different times. In Spain, a Bible had been printed in the dialect of Valentia as early as 1478. The first issue in the vernacular after that date was that of 1790, edited by San Miguel, later Bishop of Segovia. A second appeared in 1823, edited by Amat, Bishop of Barcelona.

The Lisbon Index of 1624 not only confirmed the prohibition of Bibles and parts of the Bible, but added a new restriction in forbidding the use in works of general literature (printed in the vernacular) of any extracts from the Scriptures. This order called for the cancellation, for instance, in the *Shepherds of Bethlehem* of Lope de Vega, of the poet's versions of the *Magnificat*, the *Benedictus*, the *Nunc Dimittis*, and the *Miserere*. In Italy, previous to 1560, a number of translations of the Scriptures had been issued, but after the prohibitions of Paul IV and of the Index of Trent, we find record of Italian versions only of the Psalms and a few other portions, and these could be read only with a formal permission. In 1596, Clement VIII authorised the publication, by the Order of Jesus, of an edition in the vernacular of the portions of the Gospels selected for reading on Sundays and

Saints' days. It would appear, however, as if north of the Alps, this proscription of the Scriptures in the vernacular failed to secure any general enforcement, as during the 16th and 17th centuries a large series of editions of the Scriptures and of the New Testament were brought into print from Catholic translations, in French, German, Bohemian, Hungarian, and Polish. The Jesuit Serarius, writing in 1612, complains that "any one in Germany can read the Bibles of Eck or Dietenberger, and in place of being reprimanded and punished by their bishops and confessors, the delinquents are likely to be commended and honoured."

V. Sixtus orders further that the name of the heretical publisher of the work must be cancelled and that of the "Expurgator" must be specified. Benedict directs that dictionaries, thesauri, and similar works compiled by heretics, "like the publications of the Stephani, Scapula, J. J. Hofmann, etc.," must, before being "permitted," be thoroughly "expurgated" of all material which may be antagonistic to the Catholic faith.

VI. Sixtus directs that books written in the vernacular which combat the doctrines of the Jews and Mohammedans, shall be read only under authorisation of the Inquisition. In Germany, the prohibition against the reading of controversial books printed in the vernacular secured very little obedience and such books came, during the 16th century, into very wide circulation.

VII. In the Index of Paul, there is recorded under this heading a group of Priapean literature connected (erroneously) with the name of Virgil. The only other classic author condemned as obscene is Lucian. In the Lisbon Index of 1624, it is specified that the Epigrams of Martial can be permitted only after

expurgation, or in the text edited by the Jesuits Fusius, Radius, and Augerius. Ovid's erotic poems are permitted "for private reading," but for students only the *Epistolae Selectae* as edited at Tournay, 1615. Sixtus prohibits also obscene pictures and collections of music containing amatory songs.

X. In 1625, the Inquisition of Rome issued an order prohibiting any resident of the States of the Church from printing a book without the permission, if within the city of Rome, of the cardinal vicar and the *Magister* of the palace, or if without the city, of the local bishop. Alexander VII announced in the Bull of 1664, which accompanied his Index, that only those penalties were still in force which were specified in this tenth Rule and in the *Bulla Coenae*. Under this decision, the excommunication *latae sententiae* became no longer applicable to those who might read writings of heretics but still held good for the reading of books actually specified in the Index, of vernacular versions of the Scriptures and controversial works, and of works classed as obscene.

The enforcement in Germany of the penalties prescribed in Rule X was a matter of dispute among the theologians as had before been the authority of the *Bulla Coenae*. In 1869, these penalties were rescinded by the Bull of Pius IX. In the same Bull, however, Pius retained the "reserved excommunication" for the printing, reading, etc., of books which had been specifically condemned (by titles), not by the Inquisition, but by direct apostolic authority (papal Bulls, briefs, or encyclicals). This specification would apparently cover the books listed in the two Indexes issued under the direct authority of Pius IX and probably

holds good also for the works contained in the two Indexes of Leo XIII.

The Tridentine Index, presented with the full authority of the Church represented by the Pope (Pius IV) and the general council, and compiled after due deliberation, by a representative commission of scholarly divines, secured a much wider distribution and more general acceptance than had been obtained by the first of the papal Indexes or than could have been expected for the comparatively local Indexes of Louvain, Venice, or Valladolid. The Index was printed in 1564, either separately or in connection with the record of the Decrees of the Council of Trent, in Bologna, Modena, Florence, Cremona, Venice, Cologne, and Dillingen, and during the remaining years of the century, in a great number of editions. Within the next thirty years, there were no less than ten issues from the presses of Venice (which was still one of the most important centres of the printing industry) and four from Cologne. Throughout the Catholic world, the interest was active and continued in the proceedings and conclusions of the council which had undertaken the task of cleansing the Church from its inner evils and of fortifying its institutions against the assaults of the heretics without. The deliberate policy of the Church in regard to the supervision of books was expressed in the Ten Rules of its Index and in the accompanying lists of prohibited books and of condemned authors, and these rules and lists now came to the eyes of thousands of readers (or were cited to them by their teachers and confessors) who had never before known of ecclesiastical censorship. According to the understanding of the Curia, no formal acceptance or con-

firmation was required to make binding in the lands acknowledging the authority of the Church either the Bull or the Index, but this was not the view generally taken.

In Belgium, Bavaria, and Portugal, the regulations of the Index were formally adopted under royal edicts. Spain adhered to the policy of leaving in the hands of the Spanish Inquisition the responsibility for the preparation, and for the enforcement of, the successive Indexes, and neither the Index of Trent nor any other issued under papal authority was ever accepted as binding within the Spanish dominions. The Ten Tridentine Rules were however adopted in the Spanish Indexes appearing after 1564. In France and in Germany (outside of Bavaria) the Index of Trent was confirmed and promulgated only by one or two provincial synods. It is evident that in these countries the Rules secured no general acceptance or authority. Reusch adduces as evidence that the Roman authorities held the Tridentine Index to be universal in its authority, certain instructions given in 1580 by Gregory XIII to Toletus. Toletus, who had been sent to Germany and the Low Countries as a papal representative, was empowered to absolve from excommunication and from other ecclesiastical penalties, believers who had for scholarly purposes retained or read books condemned as heretical, provided they would promise to abandon the pernicious practice.

The decrees in regard to book-production issued during the succeeding twenty years by the provincial synods of Italy repeated in substance the regulations of Trent, with an occasional addition. In Milan for instance, in 1583, the synod ordered that printers and booksellers must, before securing permission to begin

business, make a confession of faith to the bishops and take an oath to conduct their business according to the regulations of the Index.

In a number of the dioceses of France, similar edicts were issued, but these made no reference to the papal Indexes. In 1566, King Henry II ordered (at the instance of the theological faculty of the Sorbonne) that no books prohibited by said faculty should be printed, owned, or read. Further, he authorised the Sorbonne to make personal examination of the stock of the booksellers. The supervision exercised by the Sorbonne over the production and distribution of books worked to the detriment of the book-trade of Paris, and to the advantage of the printers and dealers of Lyons, Montpellier, and other provincial centres, where it proved to be impracticable to enforce the regulations of the Paris theologians. It was also a factor in building up in Holland (which was practically free from censorship) the business of producing books for the students of Europe.

In Germany, notwithstanding repeated efforts by successive popes, Pius V, Gregory XIII, and others, and edicts by Maximilian II and Rudolf II, it was evidently impracticable to keep control or supervision over the productions of the rapidly increasing printing-presses, presses which, instead of being concentrated as at Paris, were distributed through a great number of widely separated towns. A letter written in 1582 by the Bishop of Vienna indicates that the lists in the Roman editions of the Index were not accepted as final authority. "You can permit the use of books printed in Munich, Ingolstadt, Cologne, and other such towns [*i.e.* towns under good ecclesiastical influence] but those from Wittenberg, Tübingen, etc., must be

forbidden. It will be well for the inspectors to take in their hands the catalogue of the Frankfort Fair in which are given the titles of the Protestant theological books. They will also find useful the Index as printed in Cologne and in Venice."[1] In 1566, Josias Simler writes: "A new Index has been promulgated in which so many books are condemned that many Italian professors complain they will no longer be able to deliver their lectures. The Frankforters and Zurichers and other German cities have written to the authorities of Venice begging them not to accept the Index."[2] Kirchhof speaks of the German book-trade with Italy as being practically destroyed through the enforcement of the regulations of Trent, while the book-dealers of Italy itself were isolated and in many cases ruined.[3]

The Dominican Bernardo Castiglione writes, in 1581:

"In Rome, there is at present much watchfulness concerning the books coming into Italy. The Inquisitors are charged with the duty of prohibiting or destroying copies of this work or that. As a result, the booksellers dare not give orders, and are often unable to sell the books they have received. I understand that there are now lying in the Roman shops unsalable books to the value of many thousand *scudi*."[4]

A noteworthy omission in the catalogue of the Trent Index is the entire list of condemned Bibles and Testaments which had constituted an important division in the Index of Paul IV. Mendham calls

[1] *Archiv. für Oester. Gesch.*, 1, 268.
[2] *Archiv. für Deutsch. Buchh*, v, 147.
[3] *Beiträge*, ii, 63.
[4] *Arch. Stor. App.*, viii, 199.

attention to the omission of the name of John della Casa.

Paul's editors had placed the name of Erasmus in Class I (authors all of whose writings were condemned) and had added a specification which is connected with no other name, not even those of Luther and Calvin: "with all his commentaries, criticisms, scholia, dialogues, letters, translations, books, and writings, including those which have nothing to do with the subject of religion." In the Index commission of Trent, after sharp discussions, this Draconian judgment was materially modified. The name of Erasmus was placed in Class II, in connection with the titles *Colloquia*, *Encomium Moriae*, *Christiani Matrimonii Institutio*, and the *Paraphrasis in Matteum* (as printed in an Italian version under the name of Bernardine Tointano). The other writings, including those that had already been condemned in Paris and in Louvain, were left free. For the *Adagia*, a specific authority was given to Paulus Manutius for the publication of an edition. Until this edition should be in readiness, permission was given for the use of the existing editions (the most noteworthy was that printed in 1498 by Aldus), after certain reprehensible or doubtful passages had been eliminated under the authority of the Inquisition or of a theological faculty. In 1590, under the authority of Sixtus V, Erasmus was again placed in Class I, and all of his writings "whatever their subject-matter," with the exception of the expurgated *Adagia*, were condemned. In 1596, Clement VIII again confirmed for the writings of Erasmus the classification of Pius IV. In the Spanish Indexes, the name of Erasmus was, after 1612, retained in Class I. In 1575, the expurgated

edition of the *Adagia* was issued in Rome under the authority of the Church, without the name of the author. It would be a little difficult to secure from these varying pronouncements a trustworthy impression as to the final conclusions of the Church authorities in regard to the seriousness of the heresies contained in the writings of this scholarly Catholic or as to the actual value of the books.

In the preface to the Trent Index, it is stated that those writers are to be placed in Class I who are known as heretics or who are suspected of heresy (*nota haeresis suspecti*). This phrase is capable of varying interpretations and would appear to have been worded in order to cover the cases of writers like Erasmus, who while refusing to class themselves with the Protestants, had written or spoken with sharp criticism of the Church. As a result of such an instruction, writers like Staupitz, Pirckheimer, Hamer, and Billicanus find place in Class I. There also were included by Paul, Rhenanus and Zasius, who were by the Trent editors transferred to Class II.

Savonarola had suffered death as a heretic in 1498, but no reference was made in the judgment to his writings. These came up for consideration in the compilation of Paul's Index, and were discussed in several sessions of the Inquisition. They were condemned by representatives of the Jesuits, the Augustinians, the Carmelites, and the Franciscans, and were defended by certain Dominicans. It was the desire of Paul to have the whole series condemned, and it is said that as certain passages were read out loud the Pope stamped on the floor and exclaimed, "This is pestilential teaching, it is Martin Luther himself."

It was finally decided to place in the Index the *Dialogo della verita prophetica* and fifteen of the sermons preached in 1496–98, including that given at the ordeal of fire. The writings of Savonarola came again into discussion at Trent when the commission concluded to permit the reading of expurgated editions. In 1598, under the permission of Clement VIII, an edition of Savonarola's works was undertaken by Cardinal Bonelli and Philip Neri, but was never completed. As late as 1837, was placed upon the Index (under Pius VIII) an edition of the *Opere inedite* di Fra Gir. Savonarola, *Libri cinque dell' Italia*, etc.

Clemangis, placed by Paul in Class I, is transferred by Trent to Class II, with the specification that the works can be permitted when expurgated. Geiler of Kaisersberg, placed by Paul in Class I, is left out of the Index of Trent, but is replaced by Sixtus V and Clement VIII in Class I, where his name still remains.

The Trent Index, like that of Paul IV, includes in Class I a number of Italian authors whose works seem to be of hardly sufficient importance to give warrant for the distinction. Among the names the grounds for the condemnation of which are more easily to be understood may be noted that of Petrus Paulus Vergerius. The record of Vergerio has been referred to in connection with the Index of 1559. His thorough knowledge of the methods followed by the compilers of the Italian Indexes, his strenuous opposition to the policy of permitting literary production to be controlled by the Inquisition, and his trenchant controversial style, had rendered this convert to Protestantism one of the most dangerous of the opponents of the Church. It is not surprising, therefore that his name should have been singled out for special condemnation.

The compilers were also sufficiently painstaking to trace and to include in their lists the titles of certain of Vergerio's writings which had been printed under a pseudonym or anonymously.

In Class II, may be noted Italian translations of certain writings of Luther which had been issued under the name of Fregoso (Federigo Fregoso died in 1541, as Archbishop of Salerno.) Class III contains further Italian translations of the treatise of Luther on the *Freedom of Christian Men* and of the *Address to the Christian Nobility of Germany*. In the same class is entered the title *Il Beneficio di Christo* (also recorded as *Beneficium Christi*), the authorship of which is ascribed to Dom Benedetto, a Benedictine of Mantua. This tract was printed throughout Europe in various versions and secured a very wide circulation. Vergerio speaks of forty thousand copies being sold in Venice alone, within six months. The tract appears, however, to have been very thoroughly suppressed, as copies are now scarce.

Among the non-theological Italian writers whose names find place in the lists of Trent (and in other of the earlier Indexes) the following may be noted: Dante, Macchiavelli, Boccaccio, and Guicciardini. The name of Dante is connected with the treatise *De Monarchia*. The ground for the condemnation was undoubtedly the same that, two centuries earlier, had brought the author under the reprobation of John XXII, namely, that Dante had ventured to assert that the authority of the emperor was derived from God and not from God's vicar on earth. The book had, in 1318, been publicly burned in Lombardy. The name of Dante finds place also in the expurgatory Index issued, in 1581, in Lisbon. The *Commedia* is

prohibited until it has been officially expurgated, and all copies are ordered to be delivered to the Inquisition for correction. The *De Monarchia* is referred to by Fox in his *Book of Martyrs*. He speaks of Dante as "an Italian writer against the Pope." The name of Joan. Foxus and that of Oporinus (the Basel publisher of the treatise) are placed in the Trent list. In the same Index, are condemned certain passages from the commentary on the *Commedia* by Landino, in which it is asserted that heretics are not deserving of death but simply of imprisonment. In a Greek version of the *Commedia* recently published in Constantinople by Musurus Pacha, certain passages are omitted which make uncomplimentary references to Mahomet.

Macchiavelli has, since Paul IV, been placed in Class I. His writings are available for the faithful only under special authority of the pope. Certain of the books are said by Brudini (writing in 1752) to have found favour with Alexander VI, and with Clement VII. Under Gregory XIII, 1572–85, the production of an expurgated edition of Macchiavelli's works was undertaken, but the plan was not carried out, owing to the refusal of the Congregation to permit the books to be printed with the name of the author. Villari speaks of having seen a copy of an expurgated edition of the *Storie Fiorentini*, printed in 1551.[1] In 1605, under Clement VIII, a fresh prohibition was made of an edition at Lausanne of the *Discours sur les moyens de bien gouverner*.

The *Decameron* of Boccaccio is entered in the Index of Trent with the phrase: *quamdiu expurgatur ab iis, quibus rem Patres commiserunt, non prodierunt.* An

[1] Macchiavelli, ii, 412.

edition so expurgated was printed in Florence in 1573, at the instance of Cosimo I. The "expurgations" had to do only with the references to religion or to ecclesiastics. Except in the instances in which the characters involved are monks or priests, the obscenities of the original are retained in the expurgated edition.

Certain of the books of the notorious Aretino of Arezzo had been included in the Index of 1559, and the prohibition is confirmed in the Index of Trent. This author is condemned not (as might well have been expected) on the ground of the pornographic character of his writings, but because of their (alleged) heretical tendencies. Professor Paul van Dyke points out that "when the influence of the Council of Trent was being felt in reforming the abuses and restoring the discipline of the Church, Aretino's freedom in criticising the clergy became offensive." [1]

The works of Guicciardini which came into condemnation had to do with the history of the development of the political authority of the Papacy, a subject concerning which the Congregation of the Index was always on the alert.

In the Index of Trent, a number of works on astrology and magic, which had found place in the Index of Paul, were omitted.

As before indicated, the classifications of the Tridentine editors indicated a wider and more tolerant policy than had been followed by the compilers of the Index of Paul IV. The change is to be credited in part to the influence exercised in Trent by the delegates from Germany and in part to the protests which had been called forth from scholars in Italy and throughout

[1] *Renascence Portraits*, 135.

the world by the severe prohibitions in Paul's Index, prohibitions which, as pointed out, were seriously hampering for scholarly undertakings.

After the Council of Trent, there was for a series of years a decided increase in the efforts of the authorities, political as well as ecclesiastical, throughout Catholic realms, to repress the production and the circulation of heretical and dangerous literature. In the Spanish Low Countries, the regulations under the administration of Alva were especially stringent. In the years 1566–7, in Antwerp alone, four printers were banished, one was sentenced to the galleys for a term of six years, and one was hanged.

Mendham remarks, in regard to the Council of Trent:

"The Roman, beyond any other professedly Christian sect, is bound to its peculiar faith and discipline by original engagements the most sacred, the most precise, the most extended, the most rigorous. And it is there that we are to look for its true and distinguishing character. No greater mercy of the kind was ever vouchsafed to the Christian world by a compassionate Providence than the Council of Trent. However cautious the managers of this Council, they were obliged by many motives to speak out and declare themselves in canons, in decrees, in anathemas, and above all in a Creed, none of which can be recalled or concealed. The Indexes which emanated in great measure from this Assembly stand forth a specimen and illustration of the true character of the religion of Rome. . . .

"How can he who accepts the creed and oath of Pius IV, as the rule of his faith, or actually professes and swears it, and therein solemnly engages to *believe and profess all things defined* more especially by the Council of Trent, from which all the subsequent Roman Indexes flow, feel himself at liberty, not as to the respect, but as to the degree

of respect, due to the deliberate and constantly renewed expression of judgment on religious subjects by the most sacred of all human authorities?"[1]

It is the conclusion of Dejob that it was possible for a believer living during the sixteenth century under the direct influence of the Vatican to remain a good Christian, even to the point of intolerance, but that he could hardly, under the existing conditions, attain to real scholarship.[2]

The work of the Council of Trent marks in more ways than one a turning-point in the history of the Church of Rome. During the half-century preceding the date of the council, the Protestant revolt had wrested from the control of Rome nearly half of the territory of Europe, and the authority of the Church had been shaken even in States still classed as Catholic. The calling together of the council was the result of a realisation on the part of the Papacy and its advisers that the Protestant advance could not be stayed by simple reassertions of the authority of Rome, or by threats or edicts of excommunication. The Church must prove its right to rule, must in fact justify its continued existence. The practice of the ecclesiastics must be brought into conformity with ecclesiastical teachings. The claim that the Pope was the Vicar of Christ, the Vice-Regent of the Almighty, could be made good only through presenting practical evidence that the work of the Church was guided by the divine precepts, and that the workers of the Church were really the children of God.

The Council of Trent retained in its great Index the prohibition of the writings of Erasmus, but the re-

[1] M. xxviii. [2] Dejob, 94.

forms initiated by the council constituted a justification of the strictures of the great Hollander, and in not a few instances these reforms simply carried out his recommendations.

The divines of Trent did not hesitate to characterise Luther and his associates as the "children of the devil," but these same divines placed on record condemnations hardly less specific than those that had come from the preachers of Wittenberg, of the abuses and corruptions that had taken possession of the Church of Christ.

If the work of the reformers of Trent could by any possibility have been brought about fifty years earlier, we may imagine that the theses of Luther might never have been posted, while the leaders of the Protestant reform would have had available for their great contest no adequate ammunition. It may at once, however, be admitted that the "ifs of history" are at best but futile guesses. It is safer to conclude that without such shaking up as was given by the Protestant revolt, the reformation within the Church would never have been undertaken, or would at least not have taken shape during the sixteenth century. It is possible even that the loss of half of its realm was necessary if the existence of the Church as an institution was to be maintained.

The history of the succeeding century makes clear that the Catholic reformation was undertaken in good faith, and with a full measure of devotion and earnestness, and that it brought about a great revival in Christian spirit and a noteworthy advance in scholarship, in wisdom and administration, and in faithful service on the part of the rulers, and of zeal, faith, and good works among their flocks.

The popes who initiated the work of the Council

of Trent and those whose rule followed immediately the years of the council, showed a very different standard of life and of official and personal action than had characterised such popes as Julius II and Leo X, who had been responsible for Church policy at the time of the Reformation. Paul IV, Pius IV, Pius V, Gregory XIII, and Sixtus V led austere lives and insisted that their courtiers should accept the same standard of life. They were all earnest workers for the reform of the Church, realising that its domination could be justified only by its purity, its severity towards the rebellious, and its charity for the faithful. The successful results of the work of the council had brought to Catholicism confidence in itself; when the adherents of the Church realised that the council had escaped the various perils that had been prophesied, and that without any limitation to the ideal of domination, without any abandonment of essentials to the demands of heretics, the Church had made an emphatic condemnation of crying abuses, they were able, with lessened anxieties and with large hopes for the future, to look forward to the accomplishment of the promises made to Christianity. The popes now commence seriously with the reform of abuses in the Church, not only among its members, but with its rulers. Nepotism is prohibited; the cardinals are brought back to a modest and consistent way of living; the bishops are sent back to their dioceses; the monks return to their convents. A beginning is made in good faith with the correction of ecclesiastical manners and methods.

As one result of the reforms, Rome itself was awakened and, so to speak, rehabilitated. The court of the popes, which, from the time of Petrarch to that of

Luther, had been denounced by so many eloquent voices as the home of scandals and as the source of corruptions, had thrown off its pernicious habits of life. Virtue and science were once again held in honour, and Christian scholarship was placed in a position to maintain, without too serious an inferiority, a continuity with the profane erudition of the Renaissance. From this time, the Catholics found themselves less embarrassed when confronted with the names of their old-time critics, Erasmus and Melanchthon, and were no longer under the necessity of blushing for the intellectual and moral condition of their religious capital.[1]

It would appear from the general testimony of historians of literature that, in spite of certain noteworthy exceptions, the reforms initiated after the Council of Trent exercised a largely wholesome effect on the character of Italian literature. The Italian historian Canello[2] contends that the work of the ecclesiastical reformers not only restored and preserved the Church, but purified and rehabilitated society.

It is the contention of Dejob that by the close of the 16th century the Catholic reformation had exerted in Italian literature an influence that was both significant and lasting, while the effect on the literature of Spain was hardly less marked although probably less lasting. The Protestant peoples had, as he claims, thus far produced, under the inspiration of religious feeling, no works that could equal the religious productions of these two countries. It was during the century following that the literature of France received from Christianity its most profound impression.[3]

[1] Dejob, 105.
[2] *Storia della Letteratura Italiana secolo 16*, chap. ii.
[3] Dejob, 312.

The correspondence of Cardinal Sirleto gives an indication of the labour undertaken by the clergy of Italy after the Council of Trent for the purpose of disputing with the Protestants the leadership in science and in scholarship. Sirleto, who had had a chair of rhetoric in the College of San Silvestro at Rome, was, in 1549, placed in charge of the great library of the Vatican. Later, he became Bishop and Cardinal, but resigned the honours of the Episcopacy in order to devote himself exclusively to the pursuit of learning and to the service of other scholars of the Church. The group of Catholic writers who were, during the lifetime of Sirleto, devoting themselves to scholarly labours included such names as those of Baronius, Bellarmin, Tiraboschi, Latini, Orsini, and many others. Sirleto, with a marvellously intimate knowledge of the great collections of the Vatican that were under his control, devoted himself during a series of years through correspondence, through suggestions, and through the loan of manuscripts and books, to furthering the work of the writers of this group. It would appear as if no Italian writer of the day who was giving attention to dogma, to history, to tradition, to exegesis, or even to general literature, was able to complete his work without the co-operation of Sirleto. He typified in his own person the great revival in scholarly and in literary interests that accompanied the reform in morals and in religious zeal brought about by the Council of Trent. The Protestant writers were no longer to be permitted to have a monopoly of applied scholarship or in literary exposition for popular reading. Men like Baronius devoted themselves in defence of the Church to the proofs to be secured from history and tradition; while hundreds of writers who had

secured their training in the newly established or newly revised schools of the Church, brought into print, for the reading of the people generally, appeals and arguments with which to offset the influence of the "fly-leaves" of Wittenberg. It was in fact through the furious attacks of Luther and his associates that a comprehensive reformation was brought about in the army of Catholicism.

Among the correspondents of Sirleto who write soliciting permission for the reading of prohibited books (a permission required in connection with their work) may be noted Montanus, the editor of the Polyglot Bible, Sigone, and Baronius. Sigone writes, for instance, in 1579: "Every one knows that I can do nothing to bring to completion my present task without an opportunity of reading the 'Centuries' of Magdeburg; but the 'Centuries' are under excommunication, and I do not know how I am going to be able to obtain a copy or to secure permission to read the book. I hope very much that you may be interested in serving me in this matter."

Plantin writes to Sirleto stating that he has in plan an edition of St. Augustine and asks the librarian to advise him of any variants in the text of this Father, of which he has knowledge. He puts a similar question concerning the possible requirement for corrections in texts of the Scriptures, which corrections he could utilise in the Bible that was being edited by Montanus. Later, he asks for aid from Sirleto in connection with editions of St. Chrysostom and of St. Jerome which are to be dedicated to the Pope.

The Spaniard Bartolomeo de Valverde, chaplain of Philip the Second, who had rendered important collaboration in certain of the scientific undertakings

of the Vatican, writes in 1584 to Sirleto requesting the renewal of the permission that had been accorded to him some time back for the use of prohibited books. He alleges as one justification for his request certain significant considerations concerning the character of the examiners with whom rests the fate of books brought into question. Bartolomeo understands that

"among the men who are engaged in the production of the new Index, there are some whose judgment is so severe and whose zeal is so excessive that they have condemned books which they have never seen. The people whose judgment should count concerning books are of course those who through study have knowledge of their character. These compilers have not hesitated to condemn the works of many saints and (a loss much to be lamented) all the commentaries of the Jews. . . . The Pope has appointed as examiners men who do not know a word of Greek or Hebrew and who possess neither judgment or capacity. They are expected to read (without any payment for their time) a great mass of volumes and in order to get through easily with the repugnant task, they declare quite simply and with an air of large knowledge that the whole series must be suppressed."

Valverde prays Sirleto to help him to preserve his own library against the assaults of this "arbitrary and ignorant omnipotence." [1]

It is to be borne in mind, says Dejob, that this letter comes not from a Protestant, denouncing the unintelligent tyranny of the Papists, but from a dignitary of the Spanish Church, who had been charged by the Vatican with special responsibilities; while the Cardinal to whom his application was addressed was himself the chief director of the work of the

[1] Cited by Dejob, p. 77.

Congregation of the Index. It is the conclusion of Valverde that, as a necessary result of the existing conditions, the work of censorship must, in large part at least, be placed in the hands of men who are ignorant of the subjects confided to them. These men, charged by the Pope with an enormous responsibility and with an authority for which there is no supervision, are expected to do this work without pay, and they may be said to give to the Church the equivalent of their compensation.[1]

The nephew of the Cardinal, Marcello, who was his successor in the Diocese of Squillace, was apparently in favour of a strenuous application of censorship.

Marcello, writing to the Cardinal under date of November 2, 1570, says:

"It seems to me essential that in affairs like this, having to do with heresy, one should proceed with full rigour rather than with too close attention to equity, for these matters concern the honour of God and that of the whole Catholic Church. As a Father of the Church has said, '*in hac re summa pietas esset, fuisse crudelem.*' It is the perfection of piety to be 'cruel'; that is to say, to be forcible in punishment."

The examiners of the Congregation of the Index and those delegated to consider the special subjects referred to the inquisitors found themselves swamped by the mass of material submitted for their consideration. The task of examining and of reporting upon the literature of Europe, or even upon that portion of literature with which the interests of the Church were directly concerned, was beyond the powers of the men to whom it had been delegated. The authors whose

[1] Dejob, p. 78.

works were under consideration found themselves obliged to retain a solicitor or a representative to watch over their interests and to do what might prove practicable to hasten a favourable decision. Abbe Alessandro Archirota writes to Sirleto, under date of February 23, 1572, complaining that a treatise of his which had been passed upon with approval by Pirrotano, has rested in the hands of the Master of the Palace for no less than fifteen months. The unfortunate author had been obliged under the terms of his contract to make payment to his printer some months back, but was still unable to secure the necessary permission for the production of his edition. Through the intervention of Sirleto, the first sheets of the work were secured from the Master of the Palace and the printing of these sheets was permitted to proceed.[1]

A year later, another archbishop advises Sirleto that he has been waiting for a year or more for the permission which had been promised by the Pope for the publication of a work that had already been examined three times, the last time by Sirleto himself, and passed upon with approval. He had contracts in train for the publication of the book in Venice as well as in Rome. [2]

The authors found it necessary to guard themselves not only against the elimination from their text of sentences, paragraphs, or chapters which were required for a complete and consistent narrative, but against the risk of the interpolation of text of which they had themselves no knowledge and which might, in its purport, be entirely contrary to the purpose and spirit of the work. In May, 1575, Thomasso Thomai, writing from Ravenna, complains that his history of Ravenna,

[1] Dejob, 59. [2] Ibid. 60.

which had secured the approval of the bishop and of the local inquisitor, had, before being brought into print, been marred by the interpolation of certain paragraphs which were entirely contrary to the spirit and to the character of the book. Fra Marco, Inquisitor of Venice, reported, in response to an inquiry made by Sirleto, that the Roman inquisitor, a person both learned and zealous, had found certain passages in the book which appeared to him to be undesirable and had undertaken, in place of eliminating these, to write further paragraphs correcting and explaining them.

CHAPTER IX

CENSORSHIP REGULATIONS, 1550–1591[1]

1. Papal regulations concerning books, 1550–1591.
2. Censorship regulations in Bavaria, 1561–1582.
3. Censorship under Pius V and Gregory XIII, 1570–1585.

1. Papal Regulations Concerning Books, 1550–1587.— According to the *Bulla Coenae*, all persons who, without permission of the pope, read or possess copies of condemned books come under the penalty of excommunication, without the requirement of any specific action of the authorities. On this ground, the popes reserved to themselves the exclusive right to grant dispensation for the reading of such books, but this claim of the Curia was not always respected. Permits for the examination of books classed as heretical were given at different times by Charles V, Francis I, the Bishop of London, and others. Leo X himself empowered Cardinal Wolsey to grant such permits, according to his own judgment, to scholars engaged in preparing refutations of the Lutheran heresies. Caraffa complained that, in Venice, copies of certain condemned books were freely circulated and widely read.[2] The Dominican Carranza, later Archbishop of Toledo, secured in 1539 from Paul III, as a result of some

[1] This schedule is based upon Reusch.

[2] Bromato, ii, 186.

clever disputations held in Rome, a dispensation for the reading of heretical books.

1550, April. A Bull of Julius III revokes all dispensations at that time outstanding for the use of heretical books, on the ground that the privilege had been abused and had worked evil.[1] Bulls of similar purport were issued by Paul IV in 1558, in connection with the publication of his Index; by Pius IV in 1564 in connection with the Index of Trent; by Paul V in 1612; by Gregory XV in 1623; by Urban VIII in 1627.[2]

It is not surprising that with these difficulties placed in their way, the scholars of the Church found themselves not infrequently at a serious disadvantage in carrying on their controversies with its heretical opponents. As an example of a number of similar utterances may be cited the complaint of Girolamo Muzio, who had been actively engaged in suppressing heresy in Northern Italy. He writes in November, 1550, to the commissary-general of the Inquisition that his work was seriously hampered for want of the privilege of examining the texts of the heresies he was refuting. In March, 1551, the dispensation, for which he had made various applications, was finally granted.

1551, June. A Brief of Julius III grants permission to the cardinals named as presidents of the Council of Trent to read the works condemned as heretical, and through personal converse with Protestants, to secure the fullest possible acquaintance with the grounds of their heresies.

1561, March. A Brief of Pius IV gives to the legates at Trent a dispensation identical with that given by

[1] Llorente, iii, 187.
[2] Carena, *Tr. de Off. S. Inq.*

Julius III.[1] The letter to the individual legate specifies that the permission to examine heretical literature is granted on the ground of the Pope's confidence in the strength of his piety and faith and in the trustworthiness of his scholarship. Similar dispensations were given to the Spanish delegates at Trent by the King of Spain.

In 1568, Pius V sends Cardinal Comendon, with two bishops, to Germany to oppose the spread of Lutheran doctrines. They were charged to purify the German dioceses from heretical books, "which are perpetual instructors and solicit without intermission." They were instructed further to engage learned men to write against the heretics and to print these orthodox and devout arguments in small books, which being sold at a low price or distributed without charge, should come into the hands of all. Pius promised to provide the funds required for this "missionary" publishing. This method of influencing the public had evidently been suggested by the enormous success of the Protestant presses of Wittenberg.

1587. Sixtus V issues a Bull for the regulation of libraries in which is restated the penalty of the excommunication *latae sententiae.*

1591. Clement VIII (in the *Instructio* of his Index) authorises the bishop to grant such dispensations to trustworthy and faithful scholars, but for no periods exceeding three years.

2. Censorship Regulations in Bavaria, 1561-1582.

1561. Duke Albrecht V appoints the first commission of censorship, putting at its head two Jesuits, Peltanus and Canisius.

1562. Duke Albrecht orders the destruction of all

[1] Theiner, i, 667.

pernicious and misleading books and pamphlets. The commission is directed to take the responsibility of determining which these are.

1565. Duke Albrecht issues a general edict directing the prohibition of all heretical writings, and forbidding the sale of theological works in any but Catholic towns.[1]

1566. The Ducal Commission of Censorship issues an *Index librorum prohibitorum*, and also a general catalogue of books which it is permitted to sell and to read within the duchy. The catalogue is printed in Munich by Adam Berg. The lists are restricted almost entirely to books on religion or theology. It is possibly the first attempt to guide, by official selection and injunction, the religious reading of a people.[2]

1569. Duke Albrecht orders printed by Adam Berg, for the use of the monasteries of Bavaria, a special edition of the Index of Trent, to which is appended a list, compiled by his commission, of the books which are commended for use in the monastery libraries,—*Index selectissimum auctorum ex quibus integra bibliotheca constitui recte potest.* The volume contains a brief, written by Chancellor Eck, in which the heads of the monasteries are cautioned to purge and to reshape their collections according to the instructions given by the Tridentine Fathers. It is to be noted, however, that the list of works recommended include a number of titles which these same Fathers had condemned and prohibited. Certain further authors approved by the Bavarian censors find place in either Class I or Class II of the later Roman Indexes. In the same year, 1569, Berg prints, under authority of the

[1] *Arch. des Deutsch. Buchh.*, ii, 6.
[2] *Ibid.*, i, 176.

Duke, an ordinance prescribing the texts that are to be used in the "Latin Schools" of the duchy, and presenting a list of Latin texts the use of which is prohibited.

In 1569, the Duke commits to the Jesuits the task of purging the ducal library from pernicious books. In the same year was instituted a general inspection or investigation of conditions throughout the duchy (*allgemeine Landesvisitation*), which continued for two years. The inspectors were enjoined to give special attention to the book-shops as well as to libraries, private as well as public, and to see that all heretical, pernicious, and non-Catholic books were eliminated and the copies destroyed. They were also to take measures to stop the distribution of heretical and godless pamphlets and tracts (*flüg-schriften*).[1]

1580. Duke William V issues an edict directing the immediate delivery to the pastors or magistrates of all copies of heretical books. Persons in whose possession are found any copies of proscribed books are to be so thoroughly punished that thousands shall profit by their example. The effects of deceased persons are to be searched for godless literature. No reading of prohibited books is permitted even to ecclesiastics or magistrates.

1582. Duke William confirms the authority given to the papal Nuncio, Ninguarda, formerly Vicar-General for Germany of the Dominicans, to issue an Index, which was printed at Munich. It contains the text and the lists of the Index of Trent, and certain additional titles of "heretical, pernicious, or suspicious books." The greater number of the books had come into print since 1564, but the Bavarian compiler had

[1] Sugenheim, *Baierns Kirchen und Volkszustande*, 8°, Munich, 1842.

found some three hundred objectionable authors of earlier date who had escaped the attention of the Indexers of Trent. The additions all find place in Class I. They possess some continued importance as with hardly an exception they were later included in the Index of Sixtus V. These three hundred names of pernicious authors, all of whose writings are thus placed under condemnation, had been taken by Ninguarda from the catalogue of the Frankfort Book-Fair, for the years 1568–1581. The greater number were transcribed from the divisions headed: *Protestantium Theologorum Scripta de rebus sacris* and *Der Protestierenden Theologen Teutsche Schriften*, but there are also citations from the divisions of history, philosophy, and poetry. In this manner, the lists of the Roman Index have been made to include, mingled in with the well-known names of the great teachers of Protestant doctrine, the names of unknown authors whose writings were of trifling importance and of no theological or controversial significance. They might well have felt complimented at the distinction of such an association. It was the case also that certain books announced in these publishers' catalogues never came into publication. Their "authors" secured none the less the honour of a general condemnation, in Class I, not only in the local Index of Munich, but in the Sistine Index of Rome addressed to the whole Christian world. The names are naturally, in the main, German and Swiss, but there are a few French and English, such as de Loquis, Petrus Ramus, Beza, John Parkhurst, Thomas Dranta (under the poets). The Duke gave orders that copies of this Index must be placed in all monasteries and with all priests, confessors, and deacons. The Nuncio gave authority to the bishops to appoint

commissaries charged with the work of carrying out the regulations of the Index.[1]

In August, 1581, the Jesuit Peter Canisius wrote to Duke William, referring with approval to the Index then in preparation, and adds the recommendation that a *Censor Librorum*, to be appointed by the Duke and the bishops, should be sent to Munich, Ingolstadt, Straubing, Burghausen, and other places where annual fairs were held, to examine the books offered for sale, and particularly those imported, and to inspect all libraries, both public and private. They were to have authority to confiscate and to destroy all copies of books condemned or likely to prove pernicious.[2] He suggests further the desirability of an Index published as a serial from year to year. This idea of Canisius was, some twenty years later, carried out, though not in Bavaria. From 1606 to about 1619 was published in Mayence a yearly list, prepared for the use of booksellers in Catholic States, and presenting titles selected from the annual catalogue of the Frankfort Fair. The title was: *Index novus librorum imprimis Catholicorum theologorum aliorumque celebrium auctorum quarumcunque facultatum et linguarum, causas religionis tamen non tractantium . . . pro Italia ceterisque nationibus confectus.* The first issue includes a preface from Leuchtius, *Sedis Apost. librorum revisor*, an authorisation from Paul V, and a privilege from the emperor. The Index is devoted to the titles of books the reading of which is permitted.[3]

3. Censorship under Pius V and Gregory XIII, 1570-1585. *1570. Pius* gives instructions for the preparation of

[1] Reusch, i, 473.
[2] *Staats Archiv München.*
[3] Schroetschke, *Codex Nundinarius*, xix.

a new *Index expurgatorius*, but the plan was not carried out.

1572. Gregory XIII issues a Bull directing the production of an *Index expurgatorius* on the lines of that published in Antwerp. The work was, however, delayed so that it was not until 1590, five years after Gregory's death, that this Roman Index appeared.

During the reigns of both Pius and Gregory, however, attention was given to the production of expurgated editions of the works of a number of authors, such as Erasmus, Boccaccio, Polydorus, Vergilius, Zasius, Harphius, etc. Under Pius, condemnation was ordered for the teachings of Bajus, but this did not bring any new titles into the Index. In 1569, Guido Zanetti de Fano was put under arrest for heretical teaching. The Senate of Venice demanded that the trial should take place in Venice. The Pope Pius replied that the civil authorities had no proper concern with matters of heresy, except to carry out in due course the verdicts or judgments given by the Church.[1]

In 1561, the Sorbonne placed under condemnation the writings of Bishop Jean Monluc of Valence (charged with Calvinistic tendencies) and resolved, against the protests of the Bishop and the Queen Regent, to include his name in the Index; but after 1561, no further Index was published by the Sorbonne. Monluc was condemned as a heretic by Paul IV and by Pius V, but his writings do not find place in the Roman Index. His sermons were, however, included in the Antwerp and Valdes Indexes of 1559.

In 1561, a commission appointed by King Philip, under the authority of Paul IV, took under consideration a series of thirty-one utterances of Carranza,

[1] Mendham, 114, 116.

submitted by his opponents as evidence of his heresies. The list was later increased to over one hundred by selections from his confiscated papers. The report of the commission, apparently not conclusive, was referred to the Council of Trent. Carranza had published in Antwerp, in 1558, in a volume dedicated to King Philip, *Commentaries on the Commandments, the Sacraments, and Faith and Good Works.* The book was placed on the Valdes Index of 1559, but did not find place in the Roman Index until forty years later.[1] The author, after trial by the Spanish Inquisition, was imprisoned and harshly treated, although the University of Alcala and a number of the ecclesiastics of Spain, including the Archbishop of Granada, declared the teachings of Carranza to be orthodox and valuable. The university was, as a result of this utterance of the faculty, placed by Valdes under excommunication, and subjected to a fine of twenty ducats. It was forbidden to exercise any censorship over books except with the approval of the Inquisition. In 1562, Pius IV, on the recommendation of the Council, sent by a special nuncio to King Philip a brief directing that the imprisoned Archbishop be delivered to Rome, together with the records of his case. Philip declined to acknowledge the Pope's authority in the matter, and refused to permit the publication in Spain of a brief so injurious to the dignity of his realm. The matter continued to be discussed in the Council at Trent, and was also taken up by the commission of the Index. The Archbishop of Prague was a leader among those protesting against the arrogance of Spain in a matter which concerned the welfare and the policy of the Church as a whole. The treatise of Carranza

[1] Cardona, Joh. Bapt., *De Expungendis, etc.*, Rome, 1576.

did not find place in the Trent Index. In 1566, Cardinal Ghislieri became Pope as Pius V. He demanded the deposition of Valdes as Inquisitor-General and seconded the appointment of Espinosa as coadjutor with authority to act separately. Camovani, Bishop of Ascoli, was sent to Spain as Nuncio extraordinary with instructions not to return without Carranza and the records of the proceedings. In the brief given to the Nuncio, the Pope complains that Carranza had now been in prison for seven years, and that specification of the charges against him had never been sent to the Head of the Church. The Pope ordered the Spanish Inquisition, under penalty of the *excommunicatio latae*, to release Carranza without further delay. The inquisitors were also directed to deliver the records to the Nuncio, within three months' time, or to send them in sealed packages to Rome within three months. The penalty for disobedience was excommunication. Carranza reached Rome in 1567. He was then again given the privilege of confession but not of communion. The trial records were never delivered complete. Those that reached Rome in November, 1568, and February, 1570, filled twenty-four folio volumes of 1000 to 1200 pages each. The investigation of the business was assigned by the Pope to a commission of seventeen. The translation from Spanish into Latin and reading of the records consumed four years. Pius died in 1572, before the commission had completed its work.

The Letters of Pius V, edited by F. Goubau, were printed in Antwerp in 1640, under the title *Apostolicarum Pii Quinti Pont. Max. Epistolarum Libri Quinque*. They are referred to by Mendham as important in the evidence presented of the strenuous and unremitting efforts of Pius to incite Charles IX

and his mother to the extirpation of heresy, efforts of which the Massacre of St. Bartholomew may be considered as the chief result.

In April, 1576, eighteen years after the original accusation and arrest of Carranza, the final judgment in his case (based upon the report of the commission) was announced by Gregory XIII. Carranza was pronounced to have laid himself open to the charge of heretical utterances (*vehementer suspectus de haeresi*). He was ordered to disavow and recant all heretical opinions, and particularly those expressed in sixteen citations from his writings. He was then to be absolved from further censure or condemnation. He was suspended for five years from authority in his archbishopric, but was to be paid from its treasury an annual stipend of one thousand ducats. He was to make his sojourn in the Dominican monastery of Veyano. Carranza fulfilled the first obligations of his sentence; but while preparing for his return journey, he sickened and died, aged seventy-three years. He declared with his last utterances that he had never held or taught heretical doctrines. He accepted, however, without protest, the judgment of the Pope; and forgave all his enemies. The statements which he was required to recant specifically included:

"The Church of the present day does not possess the same measure of authority that belonged to the early Church."

"In the early Church, the Communion was administered in both forms."

"The appointment of the bishop required an election by the clergy and the approval of the people."

"The election of the pope required the approval of the emperor."

"Priests were permitted to marry."

"Bishops excommunicated heretics but did not burn them," etc.

In 1566, Pius V appointed a commission of five cardinals, who associated with them twelve scholars, for the preparation of a new edition of the *Corpus Juris Canonici*. The commission bore the name of *Congregatio de emendatione decreti Gratiani*, and came to be known as *Correctores Romani*. The work appeared in 1582, with two briefs (1580, 1582) of Gregory XIII directing that this edition should thereafter be the sole authority, and prohibiting the printing of it with notes or interpretations.

In 1570, were printed revised editions of the Book of the Mass and the Breviary. Pius issued a Bull forbidding, under penalty of excommunication, the further printing of liturgies except with special privilege. The Bull permitted, however, the reprinting and the use of liturgies that had been used for not less than two hundred years. Of the Breviary of Cologne, which belonged to this class, an edition was printed in 1576, with a privilege from Gregory XIII.[1]

In 1583, the famous treatise of Scaliger, *De Emendatione Temporum*, received the honour of a special condemnation from Gregory XIII. Gregory had some years earlier authorised the publication, without the name of the author, of an expurgated edition of the *Adagia* of Erasmus. In 1575, at the instance of the Congregation, Gregory ordered that all works by heretical authors which had been authorised for publication in expurgated editions should be printed without the names of their authors.

[1] Reusch, i, 439.

CHAPTER X

INDEXES OF THE NETHERLANDS, SPAIN, AND ITALY, 1569–1588

1. 1569. Antwerp. Index, issued under the authority of an edict of the king:

Philippi II. Regis Catholici Edictum, de Librorum prohibitorum Catalogo observando, una cum iis qui mandato Regiae Catholicae Majestatis, et illustriss. Ducis Albani, consiliiq., Regii decreto, prohibentur, suo quaeq. loco et ordine repositis.

This presents the Tridentine Index with certain titles interpolated, and with some additional lists.

The decree of Philip makes reference to the *Taxae* of the Church of Rome. The wording is *Praxis et Taxa officinae poenitentiariae Papae.* Mendham speaks of a monograph (of which he possessed a copy reprinted from the Paris edition of 1520) entitled *Taxatio Papalis*, being an account of the *Tax-book of the United Church and Court of Modern Rome*, by Emancipatus. He states that Dr. Milner and other Catholic writers had asserted that "this vile book had no existence but in the imagination of heretics"; while Dr. Butler and others had taken the ground that the work was simply a "record of fees of office."[1]

2. 1570. Antwerp. Philip II and Duke of Alva. This is a reprint of the Index of 1569, with the

[1] Mendham, 75.

exception that the Tridentine lists are given without interpolations. The lists following are the same as those of the previous year. After the edict of the King, printed in French, Flemish, and Latin, follow the words: *cum Appendice in Belgio ex mandato Regiae Cathol. Majestatis confecta.* The wording of the edict, which bears date February, 1564, emphasises the claim of the King that all censorship should emanate from his own authority. The execution of the edict is committed to the Duke of Alva and then to the governors of each province. The most essential provision is that within three months after the publication of the statute, all the condemned books should be burned, and possession of copies should, therefore, be unlawful. The responsibility for the compilation rests with Arius Montanus, the scholar who had edited the great polyglot Bible, published by Plantin.

All books partially condemned or appointed to be expurgated were to be brought to the magistrate of the place and corrected according to the judgment of the council. The usual penalties are added. The lists include titles in Latin, in French, in Flemish, and in Spanish. This Index includes the first index reference to the term *Taxae*, under the words *Praxis et Taxa officinae poenitentiariae Papae.* A specification of the application of the term *Taxa* will be given later. The term appears originally to have been used to denote the official fees covering the cost of the censorship. Later, there was, however, some extension of its purport.

One detail in this Index of 1570 is the including in it of the lists of condemned Bibles and Testaments (with some additions) which had appeared in the

Roman Index of 1559 but which had for some reason been omitted from the Tridentine Index.

The lists in this Antwerp appendix to the Trent Index were utilised without change by Quiroga for the Spanish Index of 1571, and also for the Index of Sixtus V. It is also stated in the edict that the selection for condemnation of certain books which had escaped the attention of the Tridentine compilers or which had been published since 1564, had been arrived at through the labours of a commission of learned and devout men, including certain bishops, inquisitors, deans, and doctors, who had been selected by the Duke. Reusch points out, however, that this scholarly commission could not have made a personal examination of all the books recorded, as the lists include a number of titles, copied from the catalogue of the Frankfort Book-Fair, of books which had been announced but not yet printed, and some of which never came into print.[1] This Antwerp Index is described as not doing credit, in respect to bibliographical or typographical accuracy, to the editor, Montanus, or to his learned associates. A number of the authors in Class I are entered under both surname and forename; the lists in all classes are characterised by repetitions and a variety of inaccurate spelling. In this Index appears for the first time in Class I the name of Stephanus, Robertus (the eldest son of Henry). Several of his books, such as the *Thesaurus Linguae Graecae*, the edition of the Psalms, the *Apology* for Herodotus, had found place in previous Indexes. In the Index of Benedict XIV, 1756, the name of Robertus Stephanus is taken out of Class I, and the titles of the severa books condemned are for the first time correctly

[1] Reusch, i, 408.

printed. Under the heading *Duytschen Bücher*, are placed one or two English titles, including the *Psalms of David, in Enghelsche metre*, by Thomas von Sternholde, Lond. 1559.

The Commentaries of Scaliger on Theophrastus, published in 1566, appear in Class II. The schedule of prohibited Bibles and Testaments is in the main a repetition of that of Louvain of 1550.

3. 1571. Antwerp. King Philip II and the Duke of Alva.

Index Expurgatorius Librorum qui hoc saeculo prodierunt, vel doctrinae non sanae erroribus inspersis, vel inutilis et offensivae maladicentiae fellibus permixtis, juxta Sacrae Concilii Tridentini Decretum, Philippi II. Regis Catholici, Jesu et auctoritate atque Albani Ducis concilio ac ministerio in Belgia concinnatus, Anno MDLXXI Antwerpiae ex officina Christophori Plantini, prototypographi Regii.

A "diploma" of the King then follows in Flemish. It expresses deep concern for the endangered orthodoxy of the King's subjects and consideration also for their purses. On this ground, in place of condemning to the flames all the bad books, it subjects to a necessary purgation those which are corrigible. For the assistance of the prelates authorised to conduct such purgation, an *Index expurgatorius* is provided. The Index was not to be published but the bishops were instructed to secure the assistance of selected booksellers in the different towns to whom, without the knowledge of any others, copies of this Index were to be intrusted. They were to communicate it to none but were enjoined themselves to discover in the books in their hands the places marked for correction, to expunge the condemned passages, or to cancel chapters or pages

condemned *in toto*. After the expunged copies had received the approbation and the signature of the censor, the books were to be restored to the dealers. Copies which had already come into the possession of individual owners were to be delivered by them to the censors and were to be handed to the booksellers for similar correction. The introductory material closes with the following caution: *Cavetur etiam ne quis hunc indicem parte aliqua augeat, vel minuat neve ex impressis manuscriptum exprimate, citra gubernatoris et concilii auctoritatem.* This caution is followed by a selection of the Tridentine Rules and a general statement or explanation on the part of Montanus, who is the responsible editor.

A conference was held at Brussels in May, 1570, for the purpose of organising the work of revising the books to be expurgated. This conference also gave consideration to certain books ordered for correction by the Council of Trent, the list comprising chiefly editions of the Fathers printed with "misleading and pernicious notes and commentaries." The Index, as finally prepared, was the work of a board of editors which was presided over by Bishop Sonnius, and to which Montanus was appointed as royal commissary (representative). The Index was printed in July, 1571, with edicts of King Philip and Duke Alva, and an introduction by Montanus. The cost of the work was borne by the King. The original edition is very scarce, but reprints have been issued by several of the Protestant publishers of Holland. It was also included with the Index of Quiroga, printed at Toledo in 1571.

The edict orders, under various penalties for disobedience, the delivery for correction of all existing copies of the books specified. No further copies of the unexpur-

gated editions are to be printed, sold, possessed, or read. New editions can be printed, under careful supervision, with the authorised text as expurgated. In each diocese, the bishop, or a representative appointed by the bishop, is to be furnished with a copy of the Index, and to be charged with the execution of its regulations. The copies of the Index must be read by none but the authorities. The expurgated editions must carry the notice of permission or of privilege. On the back of the title-page of the Index is printed: *Ducis Albae jussu ac decreto cavetur, ne quis praeter Prototypographum Regium hunc Indicem imprimat, neve ille aut quis alius publice vel private vendat, aut citra ordinariorum facultatem, aut permissionem habeat.* The schedule of books to be corrected is classified under the terms *deleatur, mutetur, corregatur, expurgetur.* The reports on the books examined are grouped in the Index under the headings: *legi possunt; nihil offendunt; nihil quia non legantur habere videntur; nullam religionis facit mentionem; nihil offendiculi habent contra pietatem vel bonos etiam mores; admissum est; totus liber rejiciatur ut est in catalogo* (Index of 1570); *tollendi sunt, quia correctionem non admittunt; repurgatione dignum non censuimus;* etc.

Among the authors whose texts were largely expurgated under the specifications given in this Index and in accordance with rules 2, 5, 8 of the Tridentine, were Gesner, Camerarius, Ramus, and Münster. Certain others who had by the Tridentine compilers also been placed in Class I, were, with but trifling eliminations, placed in the permitted class, but still others were, without any correction at all, freed from the ban.[1]

[1] Reusch, i., 426.

This Antwerp Index found but little acceptance in Rome, although some of its material was later utilised by Brasichelli. In Spain, on the other hand, it was accepted as authoritative and, as stated, was made the basis of the Index issued in 1586, by Quiroga. The Spanish Inquisition, however, extended and enlarged the expurgations, so that while the work of the Antwerp editors is presented in a moderate sized quarto, the Index of Sotomayor, issued in 1640, requires, for practically the same list of authors, a portly folio.

In this Index was included the *Missa Latina*, with preface by Illyricus, condemned on the ground of the preface and of what are described as "offensive additions." It was reprinted by Francis Junius in 1586. The editor states in his preface that the expurgatory correctors had not contented themselves with excising certain statements that impressed them as erroneous, but had substituted (as if part of the original text) other phrases, sentences, and even paragraphs, making a sense entirely different from that of the author.[1]

Montanus remarks naïvely in his introduction that many of the pious authors of the expurgated books, who had died and who in the future world had come to know the truth, would, if they could return to earth, be very ready to be thankful to their censors. Especially would this be true of those writers whose works as originally issued had been without blemish, but the later editions of which had called for censorship to eliminate pernicious notes and commentaries. Living authors might in like manner have cause for gratitude to the censors, who had through their labours rendered valuable and available books which otherwise it would have been necessary to suppress; and, adds Montanus,

[1] Mendham, 217.

certain authors had written to express their appreciation of the service.

The larger part of the work of preparing the expurgated text came upon the theological faculty of Louvain. In May, 1570, for instance, the Louvain divines took up the task of correcting the notes and comments of Erasmus on Irenaeus, Jerome, and Augustine. Their report was presented in November of the same year. Later in the year, they were engaged upon the complete works of Erasmus, a more serious undertaking. The list of expurgations for Erasmus covers twenty-three pages. Among the divines who took part in this work was Henry Boxhorn who afterwards became a Protestant. The writings of Reuchlin and Bertram were confided to the faculty of Douai. The latter gave special trouble to the expurgators in connection with his book, *De Corpore et Sanguine Domini*, which called for a full measure of analysis and elimination. The critique upon this book takes the ground that, "It was in order," in judging of the ancient Catholics, "to bear with many errors, to extenuate, excuse, and even by some ingenious device to deny" (what the old author has affirmed) "and to fabricate a convenient interpretation for any statements which could be objected to in controversy as unsound." Reusch speaks of the convenient form in which the expurgated texts were presented by these Antwerp editors, who in a number of cases printed in full (properly indicated by the type) the sentences which were to be cancelled, while the Spanish editions give of these sentences only the first and last words. A copy of the Antwerp Index was submitted in due course by Duke Alva to the Pope, Pius V. Montanus writes from Rome, in November, 1571, that the work was not favourably

received by the authorities, who inclined to the opinion that the Antwerp editors had taken undue liberties with the classification and conclusions arrived at by the Fathers of Trent.[1]

In 1572, Gregory XIII, in instructing the Congregation of the Index to prepare a new Index, recalled any authorisations previously given to faculties or other bodies for the expurgation of books. As a result, the Index of Antwerp remains, excepting those prepared in Spain, and the single one of the kind issued in Rome, the only expurgatory Index in the series.

4. 1580. Parma.—Index Librorum Prohibitorum. Apud Erasmum Viotum. Parmae. 1580. Concessu Superiorum.

This Index was prepared as a supplement to, or continuation of, the Index of Trent, and in accordance with the instructions given in the Tridentine preface to bishops and to local inquisitors. The Indexes of Liège, 1569, Antwerp, 1570, Lisbon, 1581, and Munich, 1582, were also compiled as a result of these instructions of 1564; but this of Parma is the only Italian example.

The lists, which contain 460 names, were undoubtedly utilised by Sixtus V, in the preparation of his Index, as a number of the errors in the names have been repeated verbatim. The Parma lists are full of blunders, and the names of the authors and titles of the books are curiously mixed together. The compilers have had access to certain English material and have thought it important, for instance, to include a condemnation of the Bible of Miles Coverdale, of which but few copies could have been within reach of readers in Italy. The entry reads: *Millo Couerdallus pro*

[1] *Coll. de Documents inédits*, 41, 278.

falsa translatione noui testamenti et prologis in quaedam loca ejusdem.

The works of some of the Fathers are included, which works it was probably intended to condemn in some heretical edition, but the edition not being specified, the condemnation covers the teachings of the Father himself, as in the entry *Tertuliani Opera.*

At the close of the alphabetical schedule, is given a list (without alphabetical arrangement) of twenty-one heretics. The list fails to present certain of the assured heresiarchs, such as Luther, Calvin, and Zwingli, but does include Melanchthon, Erasmus, and the Paris publishers, Henri and Robert Estienne.

This Index of Parma had not been included in any of the earlier records of censorship in Italy, and had even escaped the attention of the indefatigable Vergerio. Its existence was unknown to Reusch in 1884, at the time of the completion of his great history, and it is, as far as I have been able to ascertain, not mentioned by any of the other writers on censorship. A single copy was discovered in 1887 by Ludwig Rosenthal, and, at his instance, a reprint, edited by Reusch, was issued in Bonn in 1889.

5. 1581. Lisbon. Inquisitor-General. In 1568, Cardinal Henry, at that time Regent, published in Portugal the decree of the Council of Trent. The Cardinal became King in 1578, and in that year he had published a Portuguese version of the Trent Rules, together with a newly compiled list of books prohibited for Portugal. According to Reusch, no copies of this Portuguese Index are known. In 1581, Portugal came under the rule of Philip II, and in that year, the Inquisitor-General, Dalmeida, published a reprint of the

Index of Trent, together with a supplementary list of prohibited books. The title reads:

Index librorum . . . comprobatus. Nunc recens de mandato Illust. ac Rev. D. George Dalmeida, Metrop. Archiep. Olyssipon. totiusque Lusitanicae ditionis Inquis. General. in luce editus. Addito etiam altero Indice eorum Librorum qui in his Portugaliae Regnis prohibentur, cum permultis aliis ad eandem Librorum prohibitionem spectantibus, . . . Olyssipone, excudebat Antonio Reberius.

The edict of the Inquisition announces the imposition of the penalty of the *excommunicatio latae sententiae* for any disobedience of the regulations. The new lists comprise about 160 titles. A number of these new titles became of more than local importance as they were taken over by Quiroga and also by Sixtus V. The work of the Lisbon compilers was in part based upon Valdes. Among the new names may be noted: Jerome Cardan, Georgius Venetus, Crinitus and Amatus Lusitanus. Ariosto's *Orlando Furioso*, Bocardo's *Orlando Imamorato*, and Dante's *Divine Comedy* are grouped together in Class II. These three titles were, however, not repeated by the compilers of Sixtus. The *Utopia* of Thomas More and the *Praise of Folly* of Erasmus are placed together in Class II. Quiroga, in repeating the *Utopia*, places it with books to be permitted if corrected.

6. 1583. Madrid. Inquisitor-General Quiroga. In 1583, the Inquisitor-General Quiroga, on the strength of his apostolic authority, orders the preparation of a new catalogue of prohibited books. The edict states that, by reason of the great increase and wide circulation of heresies, the catalogues heretofore published are no longer sufficient. The Inquisition

has therefore determined to prepare a new and comprehensive list of books which have been condemned, and with such lists to publish a series of general authoritative regulations for the control of the printing and the reading of books. Quiroga utilised for the compilation of the Index representatives of the three universities and a number of other scholars. The regulations prohibit, under the penalty of the *excommunicatio latae sententiae*, the reading or the possession (either in bookshops or in private collections) of the books specified, or of any books containing the pernicious and heretical doctrines described in the general classification. To the secretary of the Inquisition, as consideration for his labour in the compilation of this Index, were assigned the "rights" for its publication. It may well be doubted, however, whether this publishing privilege brought to the secretary any very substantial return; as excepting in the case of the Tridentine, no one of the series of Indexes appears to have secured any remunerative sale.

The Quiroga Index contains no reference to that of Trent, but the Tridentine lists were largely utilised in its compilation, and the fourteen "rules" of Quiroga were evidently based upon the Ten Rules formulated in 1564. In the Spanish rules, however, the authority of the Inquisition is throughout substituted for that of bishops and theological faculties. Books prohibited in one version are to be held as prohibited in all versions, a modification repeated later by Clement VIII. There is a general prohibition of issues in the vernacular of any portions of the Scriptures. The largest schedule in Quiroga is that of works in Latin, comprising fifty-seven pages. The other lists give titles in Spanish, Portuguese, Italian, French, Flemish, and German in the

order of importance specified. The lists of Valdes were in large part repeated, and those of Antwerp and Lisbon were also drawn upon. The Quiroga served in its turn as the basis for the Index of Sixtus V, the next in order from Rome.

In connection with the introduction of a number of works by good Catholics, the editors have addressed the following "Note to the Reader":

"The prohibition of certain books bearing the names of writers well known throughout the Christian world as devout believers is not to be construed as a condemnation of the men themselves or as a charge that they have fallen from the true faith. In some cases heretical writings have falsely been issued under their names; in others, heretical publishers or editors have connected with the original text (in itself, orthodox) heretical notes, comments, or interpolations; and in yet others, writings addressed to scholars and suited only for scholarly understandings have been printed in the language of the common folk and circulated in such fashion as to cause mischief and error to unlearned believers, unskilled in matters of doctrine; and, finally, there are works which, while of service in the period in which they were issued and for the special purpose for which they were prepared, have fulfilled their mission and ought now to be withdrawn and cancelled."

Among the authors whose names are connected with this note are Fisher (Bishop of Rochester), More, Osorio, Luis de Granda, Cajetanus, Tapper, etc.

Quiroga's list of Italian writers includes the following entry:

Petrarca, los sonetos siguentes, Del' empia Babylonia, Otro Fiama del ciel. Otro Fontana di dolore. Otro L' avara Babylonia.

Petrarch's name does not appear in the Index of

Paul IV or in that of Pius IV. It is to be found in that of Sixtus V, 1590, but in subsequent Roman Indexes it has been dropped. The later Spanish Indexes have perpetuated, however, this condemnation of the Florentine poet.

The character of the criticism of the Church which Petrarch had expressed in certain of these objectionable sonnets and which, while extenuated by the Roman censors, had aroused the indignation of those of Madrid, is indicated in the following lines:

Fontana di dolore, albergo d'ira,
Scola d' errori; e tempio d' heresia,
Gia Roma, hor Babilonia, falsa e ria,
Per chi tanto si piagne, e si sospira.

7. 1584. Toledo. Quiroga. Index Librorum Expurgatorum. The original is reported as exceedingly scarce. The work is known through the reprint in Bonn, 1601, and that in Hanover, 1611. Mendham reports[1] that the Earl of Essex brought to Thomas Bodley a copy that he had secured, at the taking of Cadiz, from the library of Bishop Osorius. This was the text utilised by Thomas James (first librarian of the Bodleian) for the edition printed at Bonn. Llorente states[2] that the work of compiling the Index was done by the Jesuit, Juan de Mariana. The introduction states that the task has been undertaken as a beginning and with the hope that it may serve as a suggestion to godly and learned men to continue the all-important work of the purging of literature; for there are many books calling for expurgation, because on the one hand the heretics are always busying themselves with the task

[1] Mendham, 132. [2] Llorente, i, 479.

of corrupting the writings of accepted authors; while on the other, it is borne in mind that the heretics themselves have produced works which can be made of service for science or for scholarship, when they have been freed from pernicious passages or errors. Pains should, therefore, be taken so to plan the necessary corrections that these can be made with the smallest possible expenditure of labour or of money.

The thirteenth rule of the Quiroga Index of 1583 directs that any heresies or errors that may be found in new books are at once to be reported to the Inquisition, but that the reader must not take upon himself the responsibility of cancelling the passages or of burning the copies. The expurgation of the books whose titles are given in the Index is to be undertaken only by those delegated by the Inquisition for the purpose. The schedule of heresiarchs (chief heretics) contains seventy-six names. The list was reduced by Sandoval to eighteen names. These may be specified if only to indicate the basis of the Spanish classification of heresy: Wyclif, Huss, Luther, Melanchthon, Zwingli, Calvin, Beza, Carlstadt, Osiander, Brenz, Bucer, Oecolampadius, Servet (Servetus), Stancarus, Pacimontanus, Schwenkfeld, Rotmann, Georgius. In the Roman Indexes, only that of Sixtus presents a similar list.

Class I constitutes a large division in the Quiroga Index. The compilers find deserving of condemnation the entire works of a number of authors of whose writings only single books appear in the Tridentine lists. It was probably less troublesome to put an author once for all in the class of heretics than to incur the labour of examining all of his productions.

In Class II, I may note the name of Theophrastus

Paracelsus (1541) connected with his *Libri tres Chirurgiae*. One of the three books was permitted in the expurgated edition. In later Indexes, Paracelsus is reproved because his writings contain so many magic and cabalistic names which are hardly to be understood.

8. 1588. Naples. F. Gregorius Capucinus. In 1588 was published at Venice a handbook for confessors, prepared by F. Gregorius, a Capucin monk. It bears the title: *Enchiridion Ecclesiasticum sive Praeparatio pertinens ad Sacramentum Poenitentiae et Sacri Ordinis, Editum a R. P. F. Gregorio Capucino Neapolitano uno ex Deputatis Patribus pro Revisione Librorum in Civitate Neapolitana . . . cum Privilegio S. Fran. Inst. Regu. Fr. Min. Venetiis . . . H. Polo Typographo Venito imprimente.*

The volume possesses no official character, but is referred to by Mendham[1] as important because of its references to forbidden and expurgated books. Gregorius takes occasion to caution his readers against the *Index expurgatorius* of Quiroga as unsound, because Quiroga fails to condemn the works of Molinaeus and Raymond Lullus, and does not make sufficient excisions in the *Practica Papiensis* of Petrus de Ferrariis. In the succeeding Spanish Indexes, we find, as might be expected, a condemnation and prohibition of the *Enchiridion* of Gregorius.

This Naples Index is described as very scarce. A copy is, however, contained in the Bodleian Library in Oxford.

The catalogue or Index forming the second division of the work begins on page 146 under the title of *Libri Corrigendi.* The preface to the catalogue makes clear its connection with the general subject of the

[1] Mendham, 95.

work. It begins as follows: *Quomodo Confessor potest cognoscere, si poenitens tenetur ad aliquot placatum, ob lectionem librorum, qui sunt a Catholicis editi, sed sunt infecti et prohibiti ob interpositionem haereticorum, qui se interposuerunt indictis libris, et aliorum qui sunt adnotati et prohibiti in Indice Romano vel Tridentino. . . . Hoc potest cognosci ex sequenti lista; sed est quaedam adnotatio, sive memoria edita, A. M. R. D. D. Johanne Franciso Lombardo*, etc. *Post longum studium contra libros haereticorum.*

Capucino adds, after presenting his list:

"Finally, avoid carefully a certain book entitled *Index of Books to be Expurgated*, printed at Madrid by Alphonso Gomez in the year 1584, since we must rather believe the statement false that it was printed in such a city and by the said Alphonso, and also the statement that it was printed and published by the body of the supreme Catholic senate. And among other erroneous or heretical passages contained in it is that which says that some of the works of Carolus Molinaeus, a heretic of the first class, may be permitted without correction."

The editor was not successful in securing for this theory of interpretation the approval of the Inquisition, and was himself, in 1590, brought to the stake at Salamanca as a heretic. Llorente [1] states that at the same *auto da fe*, Torquemada caused to be burned many Hebrew Bibles and six thousand other volumes.

[1] Llorente, i, 282.

CHAPTER XI

ROMAN INDEXES AND DECREES, 1590–1661

1. 1590. Sixtus V, *Index Prohibitorius et Expurgatorius.*
2. 1596. Clement VIII. *Index Prohibitorius.*
3. Supplements to the Clementine Index.
4. Continuations of the Roman Indexes, 1600-1632.
5. 1607. Brasichelli, *Index Expurgatorius.*
6. Expurgations in the Roman Index, 1624-1640.
7. Censorship Decrees.

1. 1590, Sixtus V. Index Prohibitorius et Expurgatorius. In August, 1588, Sixtus V instructs the Congregation of the Index to prepare a new edition of the Index of Trent. The work was completed within two years and was printed in July, 1590, by Paul Bladus. This is the first Index the compilation of which was carried out by the Congregation. It is issued in the form of a Bull with the following title:

Bulla Smi. D. N. Sixti Papae V. Emendationis indicis cum suis Regulis super librorum prohibitione, expurgatione et revisione necnon cum abrogatione caeterorum indicum hactenus editorum, et revocatione facultatis edendorum, nisi ad praescriptam harum regularam normam.

The substance of the Bull may be summarised as follows: Bull of the most revered Lord and Father, Pope Sixtus V, in regard to the production of a revised Index, with which are given the Pope's regulations concerning the prohibition, expurgation, and revision

of books, together with the abrogation of the authority of Indexes previously issued, and the revocation of the authority to print Index regulations other than those herewith presented. The Bull makes reference to the precedents for prohibitory censorship as having been established by Gelasius I and Gregory IX. Reference is also made to the establishment of the Congregation of the Index, by which this responsibility is hereafter to be discharged.

To the annexed *Regulae* are attached the "penalties" of Pius IV. The Index is presented for universal acceptance as possessing final authority, and the publication by individuals, universities, or other institutions of Indexes, compiled without the specific approval of the Holy See, is prohibited. The edict is exceptional in the history of Indexes, and it is in order to cite its phraseology:

Universos indices quacunque auctoritate etiam praedecessorum nostrorum hucusque et ubilibet locorum editos, ad hunc nostrum indicem, tanquam ad normam ab apostolica sede praescriptum, ex qua recte sentiendi, credendi, docendique leges in omnem ecclesiam manare par est, revocamus, et exteris quibuscunque sublatio, hunc tantum, et ejus regulas ab omnibus personis, et sub poenis omnibus, quae in praedictis Pii IIII literis exprimuntur, et quas praesenti decreto innovamus, apostolica auctoritate tenore praesentium servari, praecipimus, et mandamus.

The rules which follow, and which are to supersede those of Trent, are twenty-two in number.

Regula I (which is one of the new ordinances) reads: *Quicunque sanctorum patrum libros, vel Scripta fidem, seu mores concernentia, ab ecclesia hactenus recepta, non admiserunt, poenis a jure statutis puniantur.*

Regula II: Quoniam vero iidem sancti doctores, vel quia ante obortas haereses, vel quia, ut eas surgentes impugnarent, fidei zelo accensi, quibusdam interdum locationibus usi sunt, quas postea Dei ecclesia Spiritu sancto edocta rejecit, nemini posthac eas tenere, aut eis uti liceat; sanctis vero ipsis doctoribus, quia non animo ab ecclesia Catholica, recedendi talia scripserunt, debita reverentia deferatur.

The ninth rule forbids the circulation of innocent books by heretical writers unless the names of the authors are expunged. The sixteenth restrains the circulation of manuscripts. The nineteenth limits the printing of sacred and ecclesiastical books to cities where the aid of an inquisitor may be had; and the books printed must be conformed to the exemplar in the Vatican. The twentieth directs visitations of booksellers' shops, and forbids private persons to burn proscribed books, ordering them to deliver such to the master of the sacred palace or to the local inquisitor. The twenty-first prescribes the expurgation of sacred or ecclesiastical books, such as the *Decretals*, etc., which have been corrupted by heretics. The twenty-second warns the faithful that if they offend by reading or retaining the prohibited books, they will incur a sentence of excommunication, from which they can be absolved only by papal authority, except in the hour of death, and then only upon giving evidence of true penitence. The rules conclude with an instruction to booksellers to possess themselves of the present authoritative Index in order that they may have no pretext for ignorance. A similar instruction is given to all who concern themselves with the reading or possession of books that they are to possess and read this same Index.

Sixtus died a few weeks after the printing of his Index, and when but few copies of the same had been sent out. Reusch states that (as was the case with the Sistine edition of the Vulgate) no further copies were distributed after the Pope's death, and the copies which had been sent out were, as far as possible, recalled and the edition was destroyed. The copies of the original issue are, therefore, at this time very scarce. In 1835, however, the Sistine Index was reprinted by Mendham under the following title:

Index librorum prohibitorum a Sixto V Papa, confectus et publicatus; at vero a successoribus ejus in sede Romana suppressus. Edenta Joseph Mendham, London, 1835.

The Index is classified in three divisions. The heading of the second division does not, I believe, appear in any other published Index: *Deinde adduntur nomina Catholicorum quorum libri aut auctoris incuria, aut etiam impressoris negligentia, doctrinam non sanam, sed suspectam, et bonorum morum offensivam continere videntur.*

It is to be noted that the possibility is admitted of the appearance in the works of Catholic writers of doctrine that is unsound or that is offensive to good morals. The right purpose or intention of such writers may be protected under the term "appear" (*videntur*).

While the Index of Sixtus never came into general circulation, it has importance in the series because its lists were utilised as the foundation for the Index of Clement VIII. In 1591, the edition of the Vulgate undertaken by Sixtus V came into consideration with Gregory XIV. The Pope had been advised to condemn and prohibit the work, but he finally decided to have it

reprinted with the corrections and eliminations thought necessary, with a preface explaining that in the original issue, certain errors had found place, errors for which the copyists and printers were responsible.

In the condemnation of the treatise of the Jesuit Bellarmin (on the authority of the papacy) and of the *Reflectiones* of the Dominican Vittoria, Sixtus acted on his individual authority. The Inquisition and the Congregation of the Index declined to condemn either book. The Sistine is the only one of the papal Indexes that contains a list of heresiarchs. The list is entitled: *Catalogus Haeresiarcharum, Haeresum auctorum eorumque qui eas suscitarum seu Haereticorum duces aut capita extiterunt, qui ad faciliorem intelligentium quartae regulae hujus indicis apponitur.* The list compiled by Quiroga has been utilised for this. Fifteen of Quiroga's heresiarchs have been omitted, and twenty new names are added. Among the eliminations are Ochinus, Ramus, and Agrippa, and among the additions are several Hussites and Anabaptists, and Marsilius of Padua.

The Dominican, Alfonsus Ciaconius, charged by the Congregation with the task of defining an heresiarch, reported that those are to be so classed who discover new heresies or who revive ancient errors, or who present in heretical institutions a defence of heretical doctrines, or who undertake in councils the defence of heretics. The name of Ciaconius comes into record also in connection with the following statement concerning the Inquisition:

"The Roman and the Spanish Inquisition have the same purpose, the maintenance of the Catholic faith. It is to be borne in mind, however, that the former is the superior, the latter the subordinate body; the Roman is the mother,

the Spanish the daughter; the Roman is to be likened to the Sun, the Spanish to the Moon dependent upon the Sun for its light. In the case in which the Roman Inquisition presents one conclusion and the Spanish another, the faithful churchman will be guided by the authority of Rome."[1]

In Spain, the point of view is naturally different, and the Spanish Inquisition has always claimed independence from the authority of Rome, and has often refused to be bound by the regulations issued by the Roman inquisitor-general.

Sixtus is the first Pope who undertook to retain for the exclusive action of the Holy Chair, or of the Congregation working under papal instructions, the authority for the production of Indexes, for the prohibition of individual books, for the expurgation of books which in a modified form it was considered important to preserve, and the general supervision of the reading of the Church. Preceding popes had accepted, if not without question at least without formal protest, the claims made by the Inquisition or by the Crown of Spain, by the Inquisition or by the universities of the Low Countries, by the Inquisition of Portugal, and by the University of Paris, to produce Indexes both prohibitory and expurgatory, to publish regulations controlling the production and the use of books, and to institute and to execute punishments for the breach of such regulations. The injunctions of Sixtus, promptly recalled by his successor, seem to have had practically no influence towards the prevention or the lessening of such undertakings on the part of national or local authorities. The successors of Sixtus wisely abandoned

[1] Cited by Reusch, ii, 234.

the attempt to retain for the Holy Chair the exclusive control of this troublesome business.

Sixtus finds place among the authors of Class I for two hundred names, practically doubling the list contained in the Tridentine Index. He utilised, in making his additions, the catalogues of Quiroga, the lexicon of Frisius, and the book-catalogue of the Frankfort Fair as printed in the years 1583–87. The general copying of the names from Frisius and from the Fair catalogues, has the result of bringing into the Sistine lists a number of unimportant writers whose names would otherwise hardly have been preserved, certain others whose books were announced but never came into publication, and, finally, some good Catholic authors, editions of whose writings happened to be brought into print by Frankfort publishers whose imprints had previously been associated with heresy. Among the orthodox ecclesiastics who thus secured undeserved condemnation were Caspar Macer, Bishop of Regensberg, and Andreas Critius, Archbishop of Poland.

Certain of the entries in the Index deserve separate attention. In the list of books published appears the entry, Joannis Casae, *Poemata*. This work appears in the Index of Paul IV. Its author is spoken of by Mendham as "that infamous prelate."[1] In the Index of Trent, however, the prohibition was removed, Pius IV having apparently concluded that the transgressor had done sufficient penance. Under the authority of Sixtus, the prohibition was, as stated, renewed, but in all subsequent Indexes the title is omitted. Another entry to be noted is the following: Roberti Bellarmini, *Disputationes de Controversiis*

[1] Mendham, 114.

Christianae Fidei adversus hujus temporis haereticos. To this title is affixed the note: *Nisi prius ex superioribus regulis recognitae fuerint.* It is difficult to understand why the stalwart champion of Roman orthodoxy should have been placed under the ban. It is Mendham's suggestion that in the third of the *Disputations* in question, which has to do with the power of the Roman pontiff, Bellarmin had stated that power to be no more than indirect as to temporals. The censure made necessary a public revocation and self-correction on the part of the offender. After the death of the critical Sixtus, the cardinal is said to have vented his resentment as follows: *Conceptis verbis, quantum capio, quantum sapio, quantum intelligo, descendit ad infernum.* The authority for this citation is Baxter's *Safe Religion*, in which is quoted the report of William Watson, an English priest, to whom the utterance was made.[1]

The name of the Englishwoman Anne Askew finds place in Class I (entered as Anna a Skeue), the only other woman thus honoured being Magdalena Heymairin. In the Index of 1597, Anne's name is entered A. S. Keuue, which a conscientious reader, trying to avoid pernicious literature, might also find difficulty in identifying. The Sistine compilers have made a curious blunder in including in their lists the titles of a number of university controversial dissertations, which had been prepared for the defence of orthodox doctrine against the assaults of certain heretical opponents. The Frankfort catalogue, in its entries of the heretical treatises, had brought in the names of the orthodox writers to whom these treatises were replies.

In a number of instances, the Sistine lists repeat in

[1] Mendham, 105

Class III, without the names of the writers, the titles of books the authors of which had already been condemned *in toto* in Class I. It is difficult to understand the ground for the insertion in Class III of a long series of historical works which appear to have possessed no theological or doctrinal character. The titles had been taken from the Frankfort catalogues of the publishers Feyerabend and Wechel, probably because these publishers had come into heretical repute in connection with previous books.

The compilers had discovered the pernicious character of a monograph by William Camden, published in London in 1584, under the patronage of Lord Robert Cecil. Camden undertook to prove that there had been under Elizabeth no persecution of the Catholics on the ground of their faith. In the same group, finds place the title of the monograph by John Knox (but the author's name is not given) described as *Liber Contra Regimen Feminarum;* the original English title, *The First Blast of the Trumpet against the Monstruous Regiment and Empire of Women*, is correctly printed for the first time in the Index of Benedict, 1758. The edition of the monograph that came into consideration with the Sistine compilers had been printed in Geneva in 1558. The original issue had been censured (under the directions of Queen Elizabeth) by the Archbishop of Canterbury and in 1583 was condemned by the University of Oxford. No sufficient cause appears for the prohibition of the *Chronology* of Gerard Mercator. In 1663, the famous atlas of Mercator was placed on the prohibited list, a prohibition that was confirmed by Benedict a century and a half later. It is possible that the dedication to Queen Elizabeth of these two books may have worked

to their prejudice. The introduction to the treatise *De Mundi Creatione*, which is printed with the atlas, contains some remarks in regard to the six days' work of creation which may have been thought to be dangerous.

The historians are of opinion that succeeding popes, and the Church itself, believed it to be essential for the interest of the Church to suppress this erratic and exceptional production of Pope Sixtus, and as far as any continued influence of the Index itself was concerned, such a result was certainly secured. Hilgers takes the ground that this Index, never having been published, is not to be classed as an authentic utterance of the Church. There is a curious reference, made in the Index published six years later by Clement VIII, to the intention that had been formed by Sixtus for the preparation of an Index and to the fact that he (Sixtus) had departed this life without carrying this plan into execution. The words of Clement are as follows: *Verum cum idem Sixtus, re minime absoluta, ab hominis excesserit: Nos hoc tempore omnino perficiendum atque in lucem edendum duximus.*

Gregoris Lati, the biographer of Pope Sixtus, describes the special purpose of a printing-office instituted by him. The description is thought to indicate that some considerable "purification" was at times found advisable in the text of editions issued through the papal press:

Non lungi della Libraria [the Vatican] *vi fece fabricare Sixto una Stampa capacissima, acciò che i Libri corotti, e profanati dagli Heretici, e pieni di gravissimi errori si emendassero e si reducissero al primiero candore, ed alla prima puritá, e si rimettessero, alla loro sincera*

verita, stampandosi, e publicandosi con migliore ordine, e regola.[1]

2. 1596. Rome, Clement VIII, Index Prohibitorius. In April, 1592, within a few months after his accession, Clement gave instructions to the Congregation for the production of a new Index. As before mentioned, the Index of Sixtus had been cancelled and withdrawn and the Clementine Index was intended to be used as a direct continuation of that of Pius IV. The responsibility for the direction of the new compilation came upon Bellarmin, who, as consultor of the Congregation, had secured the papal disapproval of the work of Sixtus. The title of the Clementine Index makes acknowledgment however of the initiative taken by Sixtus. The title reads: *Index librorum prohibitorum cum regulis confectis per Patres a Tridentina Synodo delectos auctoritate Pii IIII primum editus postea vero a Sixto V auctus et nunc demum S. D. N. Clementis PP. VIII jussu, recognitus & publicatus. Instructione adjecta. De exequendae prohibitionis, dèque sincere emendandi & imprimendi libros, ratione. Romae, apud Impressores Camerales.* 1596.

The completed draft of the Index of Clement (probably in the form of proof sheets) was placed in the Pope's hands by the Cardinal of Ascoli (the Dominican Bernerio) as early as July, 1593. Clement decided to delay the publication in order to give opportunity for suggestions and criticisms. Baronius submitted certain objections which secured consideration.

The first of the briefs of Clement is simply a restraint on the right of printing. The second, bearing date October 17, 1595, makes the usual reference to Gelasius I as the founder of the Index, adds a credit to Gregory

[1] Leti, Part II, Book IV, 385, cited by Mendham, 109.

IX, and then passes on to Pius IV. Then follows a minute detail concerning the intention, described as having been executed only in part, of Sixtus V. The remainder of the brief is taken up with a specification of the work of Clement in completing the plan of Sixtus, with the statement that Clement had commissioned a congregation of cardinals who had been charged with the prohibition, expurgation, and regulation of the impression of books. The wording of the reference to the Congregation of the Index would give the impression that this was here instituted for the first time. Catalani is authority for the statement that the Congregation certainly existed under Gregory XIII and probably as early as Pius IV. Mendham finds authority, as previously stated, for crediting the Congregation to Sixtus V. The brief of Clement is followed by the brief and preface of the Tridentine edition, with the Ten Rules restored to their place by the suppression of the Sistine two and twenty.

The Index of Clement bears to that of Sixtus a relation similar to that borne by the Index of Pius IV to that of Paul IV; but a larger portion of the Sistine lists was cancelled by the Clementine compilers. The order of arrangement follows that of the Index of Trent, the new names and new titles being brought in as appendices at the close of each class, and as additions after each letter. The Ten Rules of Trent are repeated with the addition of certain "observations" in regard to translations of the Scriptures, works on astrology, the *Talmud* and other Jewish writings. The most distinctive addition to the regulations is an instruction placing in the hands of the bishop and inquisitors (or in Rome in those of the *Magister S. Palatii*) the responsibility for the prohibition or expurgation of

books that were already in print, and for the examination of writings for which a printing license was issued. In the brief printed as an introduction, the Pope confirms the powers, privileges, and instructions given by Pius V, Gregory XIII, and Sixtus V to the *Magister S. Palatii* and to the cardinals of the Congregation. The brief goes on to state that in the case of any questions or controversies arising in regard to the interpretation of the rules and regulations as supplemented, these shall be passed upon by the Congregation, or in matters of special moment shall be referred to the Pope.

The Index of Clement is the only papal Index which, before coming into publication, secured the advantage of consideration from various points of view and of a revision extending over three years. The Venetian ambassador, writing in January and again in March, 1594, makes reference to a number of protests that had been submitted, on behalf of the scholars and publishers of Italy, in regard to the long list of additions to the Index of Italian works. It would appear that the Pope took a more liberal view of these Italian writings than that expressed by the work of the Congregation. Baronius, writing in July, 1593, to Lipsius, reports that the Pope had found it necessary to disapprove the lists as prepared, although these were already in print. Bellarmin, writing late in the same year, explains that his other duties had compelled him to be absent from many of the sittings of the Congregation. He appears to desire to make clear that the errors of judgment complained of did not belong to his responsibility.

In the schedules as finally approved, Clement omits from Class I, as first shaped by Sixtus, fifteen names;

the only one of these which may be considered as of continuing interest is that of Paracelsus. The additions to this class comprise twenty-five names. Among these are included a number of Englishmen, such as Matthew Parker of Canterbury, Matthew Hutton of York, William Fulke, and John Knewstub.

In Classes II and III, Clement has omitted (in the list as finally revised) a number of astrological works which had been included by Sixtus, a series of Italian poets and novelists, and a group of Spanish titles taken from Quiroga. The few additions to Class II contain few names of present note. Franciscus Patritius Nova, who held the chair of philosophy at Ferrara, had in his lectures on the philosophy of Plato given to Bellarmin and others ground for criticism. Franciscus had, in a letter to Gregory XIV, strongly recommended that the philosophical teachings of Aristotle should be excluded from all the schools of Christendom, and that the Church should give its approval to the doctrines of Plato (as interpreted in his own lectures).

The *Apologia* of Davila, printed in Madrid in 1591, is the first work of the Spanish Regalists (defenders of the authority of the State) to find place in the Roman Index. Through the 17th century, the list of the Spanish treatises of this school condemned by the Roman authorities is a long one.

In Class III, have been added a number of treatises from the Low Countries, from Germany, and from France, bearing on the relations of Church and State. The list includes a *Gratulatio* from Switzerland to France for the accession of the most Christian King of France and of Navarre, Henry IV.

The "Instruction" of Clement, which is included

as an appendix to the Rules of Trent, includes the following provisions:

(1) All bishops and inquisitors are instructed to give orders that, under heavy penalties for disobedience, their people must within a limited period make delivery of all copies of the books condemned.

(I) Concerning the Prohibition of Books

(2) The bishops and inquisitors (in Rome the *Magister S. Palatii*) are authorised to give permission to men of assured holiness and scholarship to retain, for a period not exceeding three years, copies of the forbidden books. They bind themselves to report to the authorities, in the books which are permitted *donec corrigatur*, such passages as they may find to be heretical.

(3) Outside of Italy, the responsibility for the distribution of the lists of heretical and immoral books rests with the bishops, the inquisitors, and the universities. The instructions to the people in regard to the reading or possession of such books are to be given by the bishops and inquisitors. This instruction was for a time interpreted as an authority given by the pope for the preparation of local Indexes. In 1621, however, the Index Congregation issued an order prohibiting the further production of any such local lists, or the further circulation of the lists already in print.

(4) The nuncios and legates in foreign lands, and in Italy the bishops and inquisitors, are to submit annually to the Curia or to the Index Congregation lists of the books published in their respective territories, which in their judgment call for expurgation or are deserving of condemnation.

(1) The responsibility for the expurgation of books

in accordance with the principles laid down in this Index rests with the bishops and inquisitors, or, where there are no inquisitors, with the bishops alone. They are instructed to secure for such work the service of two or three scholarly and pious men.

(II) Concerning the Correction of Books

(2) The expurgators are instructed to cancel passages from the Scriptures which have been wrongly worded by heretical translators, unless it may be that such passages have been cited simply for the purpose of refutation; passages which give praise or commendation to heretics or their writings; passages adverse to the freedom, the immunity, and the jurisdiction of the Church; passages which undertake to defend the tyranny of the State, or which give countenance to theories adverse to the authority of ecclesiastical and Christian law.

(3) In the books of Catholics written after 1515, when the necessary correction can be arrived at through the introduction or omission of single words, this course shall be taken. If this is not practicable, the entire passage or chapter must be cancelled.

(4) In the writings of the earlier Catholics, no alterations shall be made except in the case of passages which have been inserted through the malice of heretics or through the heedlessness of printers.

When the pernicious material appears to be of distinctive importance, it will be well to order the production of a new and corrected edition which shall take the place of the erroneous text. The essential purpose to accomplish is the presentation, in clear and comprehensible form, of the actual doctrine and original thought of the writer.

Mendham points out that, according to this rule,

the correctors or compilers of expurgatory indexes were apparently placed in a position to assume a *fraus haereticorum* whenever such assumption seemed desirable for their purpose, and to amend the text accordingly.

The difficulty with which the papal authorities were here contending had to do with the text of the earlier printed editions of the writings of the Fathers of the Church, and of certain of the later ecclesiastical writers. In preparing these editions for the press, the more scholarly and careful of the printer-publishers, such as the Stephani in Paris, Froben in Basel, and Koberger in Nuremberg, found it necessary to collate as many copies as could be secured of the MSS. which had been accepted as more or less authoritative. In certain cases, as for instance with the Stephani, the editorial work was done by the publisher himself; while in others the service of scholarly revisers was secured. It does not appear from the history or correspondence of these publishers that they had any doctrinal purposes in view. It seems to have been their wish, if only as a matter of business importance, to secure for the printed book the most accurate and complete text possible. There are not a few references in the correspondence of their editors to the unsatisfactory condition of many MS. texts, on the teachings of which had been based important matters of doctrine or large contentions for ecclesiastical control. There is at least fair ground for the belief that the so-called heretical eliminations and corrections complained of by the Index authorities represented simply the attempts of the best scholarship of the day to correct the blunders and the wilful garblings of scribes (working under ecclesiastical direction) who had

prepared the accepted MSS. presenting the teachings of the earlier leaders of the Church.

(5) When publication has been made by the bishop and inquisitor of a *Codex expurgatorius*, the owners of the books concerned are permitted, under an authorisation from such bishop, etc., themselves to make in their own copies the corrections required by the Index. Reusch points out that permission for such individual correction was never granted under the regulations of the Spanish Inquisition.

(III) Concerning the Printing of Books

Each book must carry on its title-page specification of the full name and nationality of the author and of the printer, and of the location of the printing-office. In an exceptional case, the bishop and inquisitor have authority to permit the anonymous publication of a work, but the name of author and of printer, with their respective addresses, must be duly recorded. Before the printer is permitted to bring his volume into type, he is required to submit to bishop and to inquisitor the complete text of the same, and, after this has been examined, to secure the necessary permit or privilege. The application of this regulation varied materially in different districts, but the methods adopted frequently brought upon the printer-publisher so considerable an outlay as to render unprofitable an undertaking otherwise promising. In connection with the increase in certain centres of the number of books planned for publication, the examiners found an increasing difficulty in keeping up with the labour of passing upon each portion of the text before issuing the necessary permit. They began to take the ground of refusing to trouble themselves with the examination of MSS., and of insisting on having the completed texts placed before them in

the form of printed sheets. This necessitated on the part of the printer the striking off of an entire edition in advance of securing the privilege for its publication. In these earlier stages of the work of printing, the making of plates was of course unknown. The fonts of type were small and the "sheets" (comprising from four to sixteen pages) had to be worked off, each by itself, in the full number of impressions required, in order that the type might be freed for the setting of the succeeding "sheets" or "signatures." The printer would laboriously strike off with his hand-press 250 or 350 impressions of four, eight, twelve, or sixteen pages, and only when such impressions had been completed, would he have type available for the setting of the next form. In the case, therefore, in which the examiners decided that the book could be permitted publication only after more or less serious changes and corrections, the outlay incurred in producing this first set of sheets would be practically thrown away.

The printer-publishers and also the booksellers were required to make oath from year to year that they would carry on their business in full accord with the principles of the holy Catholic Church, the decrees and rules of the Index, and the regulations of the local bishops and inquisitors. In the case of the publication of an authorised, expurgated edition of a work, which in its original form had been condemned, the title-page is to carry a wording similar to the following: *Bibliotheca . . . a Conrado Gesnero Tigurino, damnato auctores olim edita ac prohibita, nunc jussu superiorum expurgata et permissa.*

A document, peculiar to this Index, is entitled *Observatio.* The first comment is upon the fourth

rule and denies that by this rule any power is given to bishops, etc., to grant licenses to buy, read, or retain Bibles, or any parts or summaries of the Scriptures, in the vulgar language. This Observation is continued in the succeeding papal Indexes up to that of Benedict XIV in 1756. In the later edition of the Index of Benedict, which appeared in 1758, the instruction or interpretation given by the Observation is naturally modified. The third division of the Observation revokes the partial toleration of the Talmudic and Cabalistic books, and the fourth forbids the circulation in any other than the original language of the Hebrew ritual called *Magazor*. The sixth enjoins in the matter of the prohibition of books, that the names of the works condemned should be delivered to the bishops and inquisitors and that license to read them should be obtained for the same. The correction of books is to be committed to learned and pious men and the circulation of the work where expurgated and amended to the satisfaction of the examiners is permitted. The correctors are to search for all utterances anti-Catholic or adverse to the Church or in praise of heretics, as well as for such as are immoral or as may be injurious to individuals. Catholic books issued after the year 1515 are, if objectionable, to be corrected, but the works of the ancients are to be corrected only in case errors have been introduced by the fraud of heretics, etc.

The instruction in regard to the impression of books is as follows: The work to be printed must first be shown to the bishop or inquisitor and approved by either of them; when printed, the text must be compared with the manuscript and verified as correct before permission can be given for sale. Printers

must be orthodox men and must bind themselves by oath to deal faithfully and catholicly, and the more learned and eminent of them must profess the creed of Pius IV. A work that has been expurgated by the examiners must express that fact on its title-page.

The Index of Clement is distinctive in giving a much larger measure of attention to theological works by Catholic writers than to the writings of heretics. In this respect, it serves to mark a change of policy on the part of the Church, which was beginning to recognise the impracticability of controlling the character of the whole literary output of the world, and to devote its supervision to the task of keeping free from error books by Catholic writers which would be likely to influence the faith of believers. The Clementine Index secured for itself a wider distribution than had been given to any preceding Index excepting that of Trent. Within two years after its promulgation, editions were printed at Bologna, Perugia, Florence, Milan, Verona, Venice, and Turin, and also at Prague, Lisbon, Liège, Cologne, Paris, and Besançon. The publishers and booksellers of Venice found occasion for complaint concerning a number of the entries and regulations in this Index, and the Venetian Senate submitted on their behalf a strong reclamation to the Pope. After a series of negotiations, the Pope gave instructions for concession on the more important points at issue. In 1596, was published an *Interpretation of the Rules of the Index of Clement VIII, in so far as these apply in the territory of . . . Venice.* The more important modifications are the following:

(1) The prohibited books and those for which expurgation has been ordered can still be sold to those

who have secured the necessary permission from bishop or inquisitor. (2) When new editions are prepared of volumes that have been prohibited *donec corrigatur*, it is not required to send the copies to Rome. These can be passed upon with the necessary corrections under the instructions of the local bishop and inquisitor. (3) The printers are not required to submit for examination the text in the form of printed sheets. The work of examination and of correction can be completed with the text of the MSS. as prepared for the typesetters. (4) On the back of the title are to be printed, in connection with the record of the permit or privilege, the names of the examiners who have approved the text. (5) The booksellers are required to submit, on demand, to the inquisitor a catalogue of the books contained in their stock in order that the bookshops may be "cleansed" from old copies of prohibited and pernicious works. (6) The authority given to local bishops and inquisitors to prohibit books in addition to those that have been placed on the Index must be understood to apply exclusively to works opposing the true faith, and to volumes which have been brought into print under false or forged permits. (7) The publishers and printers in the territory of Venice are freed from the general requirement of an annual oath. (8) The heirs to an estate are under requirement, within three months of the turning over of an inheritance, to submit to the inquisitor a list of all the books received; and these books are not to be used until they have been passed upon and approved.

These concessions were accepted as satisfactory by the Senate, and authorisation was then given for the printing and promulgation of the Index in the territory

of Venice. The influence of Paolo Sarpi in maintaining for the Venetian Republic the right of independent action in regard to censorship, and in refusing to accept as authoritative a regulation from Rome until it had been made to conform to Venetian requirements, was evidently still in force. After this *Concordat* had been arrived at, a resolution was adopted by the Senate (and appears to have been accepted by Rome) that thereafter no book prohibition should be valid in Venetian territory until it had been promulgated by the Venetian Inquisition.

Sarpi makes a criticism concerning Roman censorship methods which is in substance as follows:

"The Roman authorities prohibit, as corrupt, the text of many valuable works, particularly of the class that have to do with political science and the rights of States; they prohibit many books which have no relation to matters of theology or religion and which they are in fact not competent to understand; they contest the right of the Republic itself to prohibit pernicious books."

In another passage Sarpi contends that the Roman *Index expurgatorius* is especially faulty: "In these so-called expurgated editions, the reader can no longer ascertain the purport of the author but has before him simply the opinions of the Curia."

3. Supplements to the Clementine Index, 1597–1609. In the decrees of the half-century following the date of the publication of the Index of 1596, a number of books are separately prohibited the authors of which had already been placed in Class I. In a papal decree of 1623, it is declared that all works published, after 1596, by writers who had already been condemned under Class I were prohibited. A number of books

which had not been transferred by the editors of Clement from the lists of Sixtus V were prohibited later, in part during Clement's life and in part by his successors. In the first decade of the 17th century, a number of individual prohibitions were made of books belonging to the 16th century, and some of which had been in print for a quarter of a century, or more. An example of such a belated prohibition is presented by the case of Bruno. Bruno's earlier writings were published in 1582, but his name does not occur in the Index of Clement VIII. Bruno's trial and condemnation took place in Rome, in 1600, and first in 1603 does the list of works prohibited include the books and writings, of every class, of Giordani Bruno Nolani. Bruno was born in 1548 at Nola and associated himself with the Dominicans. Proceedings were taken against him as early as 1577 by the Inquisition both at Naples and at Rome. He succeeded, however, in getting out of Italy and remained absent until 1592. In this year he came under trial with the Inquisition in Venice and, in 1593, was delivered by the Venetian authorities to the Inquisition of Rome. He was in prison in Rome until 1599, and in 1600 was condemned and burned as an apostate and an unrepentant and stubborn heretic. During the trial, Bellarmin served as counsel for the Inquisition.

Among the works condemned in the first of these supplements, is the treatise written by King James I of England in defence of his oath of fidelity or coronation oath. This *Apology* of the King did not find favour in Rome, and it was condemned by two successive decrees of the master of the sacred palace in July and in September of 1609, the year of its publication. The title of the condemned work begins: *Apologia pro jura-*

mento fidelitatis . . . vero ab ipso auctore serenissimo et potentissimo Principe Jacobo, etc. The book did not find place in the Spanish Index of 1612, but secured attention, as specified, on the part of the censors of Portugal. The title appears again among the works prohibited in the Spanish Index of 1632, under the title of *Jacobus Rex* in the first class, and also in the second class under the title of *Jacobus Angliae*. In the same year, the title finds place in a Roman Index, where it is catalogued under the letter *A*. The condemnation is repeated on the Index of 1664 and in those following. In an examination held by the Parliamentary Committee on the State of Ireland in April, 1825, one of the Catholic witnesses, the Reverend M. O'Sullivan, deduces from these condemnations the conclusion that the old-time papal doctrine of the right of deposing Kings had not been revoked.[1]

In 1609, was included in the lists of books prohibited an Italian edition of the *Confession* of Theodore Beza. The book had been printed in 1559 in the original French, *Confession de la Foire Chrétienne*, and the Italian version had appeared in 1566. Nearly half a century was required before the pernicious character of the work had become clear to the authorities of the Roman Inquisition.

4. Continuations of Roman Indexes, 1624–1655. The Index of Clement VIII was reprinted from time to time with the original decrees and with supplementary lists. Such reprints were issued in Rome in 1624, 1630, and 1640.

In 1618, was printed in Bologna, under the title of *Syllabus seu collectis librorum prohibitorum*, a list of the books prohibited since 1596. In 1619, Franciscus

[1] Mendham, 164.

Magdalenus, Secretary of the Congregation, printed in Rome, under the title, *Edictum librorum qui post Indicem Clementis VIII prohibiti sunt*, a reissue of the Bologna *Syllabus*. In 1624, these lists were reissued in Milan, under the title of *Raccolta de libri prohibiti.*

In 1632, Magdalenus issued in Rome, under the title, *Elenchus librorum omnium tum in Tridentino Clementinoq. tum in aliis omnibus Sacrae Indices Congregationis particularibus decretis hactenus prohibitorum*, what appears to have been a freshly compiled Index. This *Elenchus* of Magdalenus was, in the same year, reprinted in Milan, with the omission of the series of decrees; and in 1640, a second reprint, containing additional lists, was issued in Rome. Mendham speaks of this *Elenchus* as if it were a personal and unofficial undertaking[1]; but as Reusch points out, it was issued with the approval and the authority of the Congregation, although not printed in the official press.

In 1644, a second *Elenchus* was printed in Rome, bearing no name of compiler or of printer, which presented in alphabetical order a list of books prohibited since 1596.

In 1655, a third *Elenchus*, bearing the name, as compiler, of Thomas de Augustinis, was printed in Rome. It contains the titles of books prohibited between 1636 and 1655, and constitutes a continuation of the *Elenchus* of 1632. In June, 1658, this *Elenchus* was itself condemned and prohibited by the Congregation, on the ground of its incompleteness and lack of accuracy.[2] It is evident that the Congregation Index authorities were requiring a higher standard of

[1] Mendham, 170. [2] Reusch, ii, 26.

bibliographical work than had heretofore been thought necessary.

In 1629, the Inquisition issued in Cologne a reprint of the Index of Clement VIII with the titles of books prohibited under the edict of February, 1627, interpolated in the alphabeted lists and indicated by a †. The books prohibited (by edict) between the years 1601–1627 are not included, and the lists are therefore incomplete. The Index thus compiled was, however, reprinted, without corrections, in 1647 and again in 1665.

In 1634, was put into print in Trent an edition of the Clementine Index which includes two supplements (each under separate pagination) presenting respectively the titles of prohibited books and the edicts of condemnation, for the periods 1601–1630 and 1632–1634. The title-page contains the imprint Rome and Trent, in order to make clear the authoritative character of the publication. Later, further supplementary lists were put into print to be bound in with the above. The lists or Indexes above specified represent the prohibitions of the Roman authorities.

In 1603, was published in Cracow, under the authority of Bishop Maciciowski, a volume containing a reprint of the Clementine Index, together with an *Index auctorum et librorum prohibitorum in Polonia editorum*. This latter contains sixty-four titles connected with the names of authors and eighteen anonymous works.

In 1617, Bishop Szyskowski published, in Cracow, an *Index auctorum librorum haereticorum et prohibitorum*, containing about sixty-three titles. These Polish Indexes represent books condemned under the authority of the local bishops.

In 1627, Thomas James issued in Oxford an *Index Generalis*, which he had compiled from the Indexes of Clement VIII and of von Sandoval. At the close of the volume is given a list of authors whose works had been listed for expurgation by Brasichelli, Quiroga, von Sandoval, and in the Index of Antwerp. This compilation of James is of course not to be included in the series of Indexes properly so called. Its purpose was in fact to commend to the attention of scholarly readers in Oxford and elsewhere the books which had been emphasised by the Church of Rome as heretical and pernicious.

Fuller specification of this noteworthy undertaking of James is given in a later chapter.

5. 1607. Brasichelli, Master of the Palace. Index Expurgatorius.—Indices librorum expurgandorum in studiosorum gratiam confecti. Tomus primus. In quo quinquaginta Auctorum Libri prae caeteris desiderati emendantur, per F. Jo. Maria Brasichellen Sacri Palatii Apostolici Magistrum in unum corpus redactus, et publicae commoditati aeditus Romae ex typographia R. Cam. Apost. MDCVII superiorum permissu.

This is the second *Index expurgatorius* in the Roman series. The compiler was the Dominican Guanzelli, from Brisighella near Faenza. He calls himself on the title-page. Fr. Jo. Maria Brasichelli. He had, since 1598, been the *Magister* of the palace. Shortly after the publication of his Index, he was appointed by Paul V, Bishop of Polignani. He died in 1619, leaving his Index a fragment, only the first volume having been completed. This volume was printed in the printing-office of the Curia. A reprint appeared in Bergamo in 1608, which was within a year or two suppressed. A reprint was in press at Antwerp,

but was suppressed. Further reprints appeared in Regensburg in 1723, in Altdorf in 1745, and in London in 1837. Even the reprints are very scarce. A copy of the original issue is contained in the Bodleian. The compiler says in his preface that the expurgation of books belongs to the responsibility of his office, and that he has, therefore, charged himself with the task of examining certain books which have been condemned *donec corrigatur*, and has done what was requisite, through the elimination of pernicious and heretical passages, to render these works available for the use of scholars and students. The number of such books is unfortunately very large, and he has, therefore, selected for his labours those which when properly corrected are likely to prove of the greatest service for the scholarly public, *quosque sibi e manibus extorqueri gravius ferre homines animadvertimus et quorum ut permitteretur facultas pene quotidie a nobis efflagitabatur.* . . . The texts which were issued with the corrections specified in his Index have been transferred from the class of condemned to that of approved books. . . . His second volume is, he reports, already in train.

The preface is followed by a reprint of the Trent Rules bearing upon expurgation, and by the second division of the Instruction of Clement VIII.

The issue of the first volume of Brasichelli's work brought out a series of remonstrances and criticisms which caused the rulers of the Church to decide that the publication of expurgatory Indexes was an unwise policy. Such Indexes were also, in the judgment of the advisers of the Curia, not necessary as the instruction in the General Index last issued had given to the agents appointed for the purpose, full power of making quietly and with freedom from criticism such

corrections and expurgation as seemed to be required in books the main text of which was deserving of preservation. With an expurgatory Index, this difficult work had to be done openly and with an acceptance of responsibility.

The Index presents, in alphabetical arrangement, fifty-one works. The list includes four which were not in the Index of 1596, but which had been condemned in two edicts of the *Magister* of 1603 and 1605, and three books of the Benedictine Montanus (the editor of the Polyglot Bible issued in Antwerp by Plantin) which had never been condemned in Rome.

Certain of the books selected, such as the writings of Molinaeus, Venetus, and Nevizanus, had already been expurgated. Other authors receiving attention are Cornarius and Fuchsius. Editions of Xenophon are purged by the cancellation of the names of heretical editors, such as Gesner, Pirckheimer, and Camerarius. These particular expurgations are borrowed from the Antwerp Index of Quiroga and the same is the case with the corrections in the text of Polydorus Vergilius and of Didaeus Stella. The list includes further: Rhenanus, Vatablus, Paracelsus, Serranus (for his edition of Plato), and Scaliger (for his Theophrastus).

This Index of Brasichelli cannot be considered as a personal undertaking, as the compiler states explicitly that his work has been carried out by him in his official capacity. It appears, however, that he had secured no specific instruction or authorisation, either from the pope or from the Congregation, as, if such authority had been given, the record of it would undoubtedly have been printed in the volume. On the other hand, if the undertaking of Brasichelli had been disapproved by the pope, he would hardly have secured his appoint-

ment as bishop and there would probably have been some formal cancellation of the Index. In place however of being formally withdrawn, the Index appears to have been quietly suppressed, probably on the ground that it could bring no credit to the Church. The second volume was never completed. The most important piece of censorship contained in the Index, the expurgation of the *Bibliotheca Patrum*, aroused no little critical opposition on the part of the scholars. It was apparently undertaken without adequate knowledge or scholarship.

The first name in the list of expurgated authors is that of Arias Montanus. Montanus had himself borne the chief responsibility in the production of the Index issued in Antwerp in 1546. He had been accepted as an authority not only for sound scholarship, but for sound doctrine. About six pages of the Roman Index are devoted to his writings, which here suffer a castigation and mutilation similar to that formerly inflicted by him on other authors.

Space is given (as in all the expurgatory Indexes) to the Bibles of Robert Estienne. The longest and most important article in the volume is that devoted to the *Bibliotheca SS. Patrum* of La Bigne printed in Paris in 1589. As an example of the class of correction found necessary in the *Bibliotheca* may be noted the correction of cancellation of *Sanctus* or *Sanctorum* or *S. Divus* or *D.* whenever such term is applied to a personage not in the list of Roman saints or of Roman martyrs. The words *Caute lege* appear frequently in connection with the text of La Bigne. On page 82, Clemens of Alexandria is degraded from the rank of *Divus*. In the critique upon S. Peter Martyr, Bishop of Alexandria, the censor denounces his commentator,

Balsamon, as "a Greek and a schismatic." S. Chromatius is censored as condemning oaths altogether. S. Ignatius is censored for his opinions respecting the Lord's Day. Leontius is censored for omitting the apocryphal books in the canon. La Bigne is censored for ascribing the work *De Duabus Naturis* to Gelasius who became Pope. Jonas Aurelianensis is censored for his testimony against image worship. Marcus the hermit is censored for contending that the kingdom of heaven is not given as a reward for our good works. For Paschasius the title of *Divus* is ordered to be expunged. He is further censored for describing as creation the change of the elements. Photius, Bishop of Constantinople, is condemned (very naturally) for representing his own see as the head of all the churches. To the Spanish author, Emmanuel Sa, is given a discipline or censorship covering twenty-eight pages. In the next succeeding Spanish Index, Sa is acquitted of any false or erroneous doctrine and his writings are held up to special approbation. It was with the Roman criticism of Sa that originated a long series of issues between the Index makers of Rome and those of Spain. Francis Duarenus received a castigation, which he might fairly have expected, for his work *Pro libertate Ecclesiae Gallicae*, in section 77 of which are detailed the heavy exactions of the Papal See. Cardanus is condemned for his *Eulogy* of Edward VI. A condemnation is also brought in upon Queen Elizabeth, the text for the same being a dedication to the Queen prefixed to a London edition of *Plato*.

Polydorus Virgilius is subject to correction for his work *De Rerum Inventoribus*. Among the passages cited for reprobation are those assigning (on the authority of Bishop Fisher of Rochester) a very recent

origin to the doctrine of indulgences, with the suggestion that the discovery of purgatory was a powerful cause for the demand for indulgences. The censors also condemned the reference by Virgilius to the second commandment as involving a criticism of the action of the Church.

A reference to the Brasichelli Index is made by Paolo Sarpi.[1] He finds in it evidence that in a large number of the writings in which expurgation or alterations had been found necessary, the passages objected to were those which defended the authority given by God to the prince. Zobelius, in his *Notitia Indicis*, states that Brasichelli was aided in his work by Thomas Malvenda, a Dominican.

In 1611, an edition of the Brasichelli Index was printed in Antwerp. A year later, the Nuncio writes to the printer-publisher: "By the orders of his Holiness, this Index has been suspended. As some months back I placed in your hands, for printing, a copy of the original issue, it is necessary for me now to write asking that you will not proceed with this printing, or, in case the edition is already issued, that you will take the necessary measures to recall and cancel the copies." It does not appear that the Nuncio expressed any readiness to make good to the publisher the outlay that the latter had incurred with the permission, and in fact at the request, of the representative of the pope. Mendham is of opinion that the Brasichelli Index itself found place among the books later condemned by the pope;[2] and in this opinion he is supported by Zobel. Reusch takes the ground that this Index had never been formally prohibited. He points out that

[1] *Discorso dell' Origini dell' Inquisitione*, 173, Venice, 1639.
[2] Mendham 131.

the word *suspendere*, used by the Nuncio, is the equivalent of a condemnation *donec corrigatur.*[1] It appears that there was later (1643) the intention in Rome to prepare an expurgated edition of this *Index expurgatorius*, but this plan never took shape.

Brasichelli had excited the antagonism of the Carmelites, because, in his correction of the eighth volume of the *Bibliotheca Patrum*, he had denied the claim to saintship of Bishop John of Jerusalem (a contemporary of Jerome), and had also denied that Bishop John was responsible for the production of the volume *De Institutione Monachi*. The anonymous author of this book describes himself as a Carmelite, and gives the record of the institution of the Carmelite Order; but Brasichelli is of opinion that in the 5th century there were as yet no Carmelites.

The Jesuits, such as Reynaud, Poza and others, and the Spanish ecclesiastics generally, were much dissatisfied with the expurgation of the text of their author, Sa. In the later Spanish expurgatory Indexes, while certain of the works corrected by Brasichelli were retained, the expurgations of the texts were very much modified and lessened.

In connection with the expurgation of the *Bibliotheca Patrum*, a question arose, concerning which there was later no little discussion, as to whether it was in order to place in the Indexes, prohibitory or expurgatory, the writings of the Fathers of the Church. In the later Roman Indexes, including that compiled under the authority of Pius IX, the *Bibliotheca* (under the name of the editor, La Bigne) is still included, without reference to the edition, under the heading *d. c.* Reusch finds instance of but one actual prohibition of patristic

[1] Reusch ii, 553.

writings. The other references to these writings in the Index have to do with the comments, notes, or alleged interpolations of heretical editors. The Instruction of Clement VIII takes the ground that no alterations are to be made in the text of the works of Catholic writers produced before 1515, unless there is evidence that corruptions have crept into the text through the work of heretical editors, or through the carelessness of the printers.

The question has from time to time been raised by Protestant writers whether the Catholic editors of the patristic writings put into print in the 16th century had not, under the instructions or with the knowledge of the authorities who had given their approval to these editions, corrupted the original text for the support of certain doctrines or contentions.[1] It is not surprising that such a belief should have obtained, in connection with the readiness of many theologians of the 16th century to take the ground that passages of the Fathers which could not be made to fit in with their own doctrinal views must represent interpolations or corruptions on the part of the scribes, or of the editors or printers of the earlier editions. Franciscus Junius relates that a reader for the Lyons printer, Frelonius, had shown to him a proof sheet of an edition of St. Ambrose on which the censors, two Franciscans, had made material changes from the text of the manuscript copy.[2]

Mendham suggests, in connection with the expurgations of Brasichelli, as the secret of pontifical logic that

[1] James, Thos., *A treatise on the corruption of Scripture, Councils and Fathers by the Prelates, Pastors and Pillars of the Church of Rome for the maintenance of Popery and Irreligion.* London, 1612.

[2] Mendham, 84.

to say of a thing *non ipsa vera* and *quodammodo* enables you to turn the most obstinate substance and propositions into direct opposites.

The use for faithful Catholics of available editions of the Fathers had been seriously interfered with by the regulations of the Index of 1559, and even by the modifications of these in 1561. Hosius writes in 1565 to Cardinal Amulius [1] complaining that before Pius V the writings of the Fathers had been brought into print not in Rome or other Catholic cities, but chiefly in centres of heresy like Basel where the editors corrupted the original text. He had tried to make purchase in Rome of the works of Ambrose, Augustine, Jerome, and Gregory, but had been told by the booksellers that the only available editions were prohibited. Such a complaint may be taken as an indication of the greater scholarly enterprise and intellectual activity of the communities which had been influenced by Protestantism.

The title-page of an edition of Augustine, printed in Venice in 1570, contains a notice that the text has been carefully revised and freed from all the corruptions and *scholia* introduced into the previous editions by Erasmus and other heretical and condemned writers. Thomas James [2] points out that the edition of Gregory the Great printed in Rome in 1585 contains no less than 1085 passages in which the text varies from that of the authoritative manuscripts. Calandrini speaks of 13,000 such variations. Reusch is, however, of opinion that these charges of corruptions in Roman editions are exaggerated.[3]

[1] *Ep.*, 95, Opus 2, 239.
[2] *Vindiciae Gregorianae*, Geneva, 1625.
[3] Reusch, ii, 559.

6. Expurgations in the Roman Index, 1624-1640. The Roman Indexes, with the exceptions of that of Brasichelli and the suppressed Index of Sixtus, are classed as prohibitory only. It is the case, however, in certain instances that in place of the term *donec corrigatur* (usually indicated simply by the letters *d. c.*) is given a paragraph in which is specified the material that is to be omitted and the omission of which will leave the book in the list of those permitted. Such a paragraph is, for instance, connected in several of the Roman Indexes with the name Copernicus. Occasionally is connected with the entry of the title and the letters *d. c.* a reference to an expurgated edition published under the authority of the Congregation, the reading of which is permitted. Among authors whose works the value of which is in this way emphasised are Natalis, Bottero, Florentini, Garafalo, Scaramelli, etc. In the case of certain other authors (nearly exclusively Italians) the editors have taken the pains to specify in the Index itself the ground for the prohibition.[1]

7. 1624–1661. Rome. Censorship Decrees.

Index librorum post indicem Clementis VIII prohibitorum decreta omnia hactenus edita.

Romae, ex typographia Rev. Cam. Apost. MDCXXIV.

Each decree, emanating from the different authorities, is here given separately and at length, thus presenting a convenient summary of the sources from which originate the prohibitions and criticisms in the Indexes. The series comprises edicts of the Inquisition, edicts of the Congregation of the Index, edicts of the master of the sacred palace, and decrees of the pope, and extends from the year 1601 to 1629. The

[1] Reusch, ii, 84.

Index with which the series of edicts is printed as a sequel bears date 1632. In a second edition, issued in 1640, the series of edicts is brought down to 1637. The master of the sacred palace, whose name appears in the first decrees issued by that official, was Brasichelli, whose abortive *Index expurgatorius* has already been referred to. Four of the decrees issued by his successor, Lud. Ystella, in the years 1609 and 1610, were the subjects of severe animadversion on the part of Fra Paolo Sarpi of Venice.

In the *Discorso* concerning the Inquisition at Venice, printed in 1638, Sarpi complains of an attempt on the part of the Papacy to undermine and to violate the Concordat instituted in 1596 between Rome and the Venetian Republic. In the Concordat, it is stipulated that no other Index than the Clementine is to have force in Venice. In the two decrees in question it is declared that the Indexes and separate decrees issued since 1596 are to be "in force in all cities, territories, and places, of whatsoever kingdom, nation, and people, and are to have authority, in whatsoever way, even without publication, the edicts should be made known." Such a claim on the part of the Papacy certainly appears to constitute an attempt to invalidate the conditions of the Concordat and to give grounds for the criticisms of the intrepid defender of the independence of the Republic.

The 66th decree (1644) is directed against the *Lettres Provinciales* of Pascal; and makes a separate condemnation of each of the eighteen letters. This author ought certainly to have remained in favour with the Church. In number seventeen of these *Lettres Provinciales* he expresses himself thus: *Grâce à Dieu, je n' ai d' attaches sur la terre qu' à la seule*

Église Catholique, Apostolique et Romaine, dans laquelle je veux vivre et mourir, et dans la communion avec la Pape son souverain chef, hors de laquelle je suis très persuadé qu' il n' y a point de salut. It would appear, however, as if some wave of Jesuitism must have influenced Pope Innocent X at the time this condemnation was issued. It may easily be understood that from the point of view of the Jesuits, Pascal could hardly be considered a good Churchman.

Decree number seventy-seven, issued by Pope Alexander VII, January 12, 1661, states that some sons of perdition had arrived at such a condition of madness as to turn the Roman missal into the vulgar tongue of the French.

CHAPTER XII

INDEXES AND PROHIBITIONS, SPANISH, ROMAN, BELGIAN, POLISH, AND PORTUGUESE 1612–1768

1612. Madrid, Sandoval.
1617. Cracow, Szykowski.
1624. Lisbon, Mascaregnas.
1628. Papal Decrees *re* Poza
1632. Rome, Capsiferro.
1632. Seville, Zapata.
1640. Madrid, Sotomayor.
1664. Rome, Alexander VII (see also Chapter XIII).
1707. Madrid, Valladores.
1714. Namur and Liége, Hannot.
1747. Madrid, Prado.
1790. Madrid, Cevallos.
1793–. Madrid, Supplements to Cevallos.
1559–1768. Examples of Spanish Prohibitions.

1. 1612. Madrid. Inquisitor-General Sandoval. This Index, comprising lists expurgatory as well as prohibitory, is the next in the Spanish series to the Quiroga Index of 1584. The inquisitor-general under whose authority it was compiled and issued was at the time both Cardinal and Archbishop of Toledo. The title-page bears, in addition to the name of the Spanish primate, the line *de consilio Supremi Senatus Sae. Generalis Inquisitionis Hispaniarum.* The volume is one of considerable compass; as printed in the first Madrid issue, it contains 744 pages, five of which are not folioed.

In 1614, an appendix with additional lists was printed as a separate volume. This is called *Appendix prima*, but no later appendices came into print. In 1619, the Index was reprinted in Geneva in an edition which included, with the appendix, a polemical introduction by Benedict Turretini. In 1628, this Geneva edition was reprinted in Palermo under the instructions of the Inquisitor-General, Zapata. The Index is prefaced by a brief of Paul V, the text of which follows the lines of that contributed in 1559 by Paul IV to the Index of Valdes. The Pope says (in substance) that he had learned that the permissions in existence in the Spanish realm for the reading of prohibited books had grown to be too numerous and that the results were pernicious. All such permissions, whether emanating from the popes, from the local bishops, or from any other authorities, were now cancelled, with the exception of such permissions as might be given by the present inquisitor-general to the devout scholars to whom had been confided the task of the preparation of the present work. The penalty for disobedience of this general prohibition was the *excommunicatio latae sententiae*. Then follows an edict of the inquisitor-general in which he states that the work has been undertaken by him under the general Apostolic authority that he possesses as inquisitor-general in the Spanish realms; and under the special instructions given to him in the papal brief. The penalties specified in the regulations are incurred by all persons who possess or who read copies of the prohibited books. The penalties are not incurred in connection with books entered under Class II, concerning which the censors give simply a caution. Copies of such books are however to be submitted to the authorities (in Spain

usually the local inquisitors) in order that the nature of the caution or correction may be duly specified.

The fourteen rules (based upon the Ten Rules of Trent) follow pretty closely the text of the Rules of Quiroga. Rule X presents a general prohibition of all anonymous books and of all books not bearing the name of the printer, which have been issued since 1584.

Sandoval's editors follow the Roman model in placing their lists under three classes. Works which, condemned in their original form, are to be permitted after an expurgation, are specified in the original list with a star, and the titles are repeated in the second division, the *Index expurgatorius*.

The second and third classes present in separate alphabets the titles of Spanish, Portuguese, Italian, French, Flemish, and German publications. In Class I, the only Spanish names are Constantino de la Fuente and Joan Auentrote. In this class is placed also Erasmus, with the memorandum that all of his writings are prohibited as printed in the vernacular. A similar specification is made in connection with the names, given in the same class, of Petrus Ramus and of Macchiavelli.

The chief editor of the Index presents, after the classified lists, a "notice to the reader" in which he says:

"The writings of authors who have been condemned, in so far as these do not have to do with matters of religion, can be made available for the use of the faithful through a thorough expurgation. Even in the writings of orthodox scholars, whose zeal and service in behalf of the Catholic religion deserve the highest praise, are to be found certain errors of statement and expressions liable to misconstruction, which, if left uncorrected, would be likely to work

mischief. In other cases, writings of Christian authors, whose work was well-suited for the time and the special conditions under which they wrote, have in these later times come into controversy. The result of their consideration by the scholars of later date has been to show the necessity of some revision or reshaping of the earlier text, in order to prevent these works of repute from exerting an evil influence on later generations." "The compilers of this Index have undertaken the expurgation of more than three hundred works, among which are included certain books that have secured a very wide circulation. Certain further important expurgations are in train, and in collaborating in such work, devout scholars can be of noteworthy service to the Inquisition."

This *Index prohibitorius* contains practically all the titles that were given in the Index of Clement VIII, and such further titles as were compiled by Quiroga. It includes further a number of the later prohibitions. Class I, in particular, has been very largely added to, the new names, chiefly German, aggregating nearly three hundred. The list includes a number of insignificant authors whose writings have been entirely lost sight of. In the expurgated texts, Sandoval utilised to some extent the work of Brasichelli. The appendix presents an edict dated August, 1614, certain modifications of the rules, additional titles for the preliminary lists, and a series of expurgated texts.

Schneemann [1] points out that this Index of Sandoval was utilised by the Dominicans, under the lead of Bañez, to bring into condemnation a number of the books of the Molinists, including the works of the Jesuit Molina himself. The Benedictine Curiel writes

[1] *Weitere Entwickelung der Thomistisch-Molinistischen Controverse*, 34.

to the inquisitor-general to point out that this use of the Index by Bañez and his associate Summel was the result of a disgraceful intrigue against Molina. Bañez had secured, in 1593, from the Inquisition, an instruction to the Universities of Alcala and Salamanca for the production of an Index, but, probably on account of the protest above referred to, the work was never completed.

Sandoval's editors evidently had before them the text of the Roman decrees of 1603, but they appear to have made a rather arbitrary selection of the authors the condemnation of whom they were prepared to confirm. Among the better known names omitted from the Spanish lists are Bruno, James I, William Barclay, and Roger Widdington. In the Palermo reprint of the Sandoval Index are added the titles of certain Sicilian authors. There is also included a specification that references to Pope Joan must be cancelled from any volumes in which they occur.

The following entries may be cited from the two lists:

Gregorii Capuc. Enchirid. Eccles: this stands for the Neapolitan Index in which the suggestion had been printed that the Spanish *Index expurgatorius* might be a forgery. Henricus Stephanus and Johannus Scapula find place, the former as usual for his issues of Bibles, and the latter for some treatise not clearly specified. For the works of J. A. Thuanus or de Thou, the entry states that the censure of the present Index covers only the first eighty books of the history. It is not clear whether the last fifty-eight books contained nothing to condemn or simply had not been reached. Isaac Casaubon is reprobated at some length.

Emmanuel Sa, freely censured by the Roman Index

is here very lightly corrected and excused. As previously pointed out, the conclusions of the Spanish and Roman Indexes often clash and the framers of the former are reprimanded by the writers of Rome for their presumption.[1] Under Cajaten, are cited two sentences (taken from a work by an orthodox Catholic, printed at Antwerp) which have been, according to Mendham, altered to a directly opposite meaning. Mendham gives as example of his statement the change of the word *mali* into *divini* and of *impia* into *sancta*. The works of Athanasius are considered in no less than three editions and large changes and "expurgations" are made in the annotations. Examples of the "cancellations" are the following:

Adorari solius Dei esse.

Imagines tollendas esse testimonia.

Angeli non sunt adorandi.

Justificatio fit per fidem.

Contra meritum humanum pro gratia, abundanter disputatum.

Sancti non sunt adorandi, non sunt invocandi.

Scriptura sacra sufficit ad veritatem.

Canonici libri soli legendi, et cur?

Canonici libri soli sunt fontes salutares.

Gratia Christi nos salvat per fidem, non per bona opera.[2]

The text of S. Augustine is also handled at length. Among the propositions condemned and cancelled is: *Quae de carne sua manducanda Christus proposuit, spiritualiter sunt intelligenda.* Erasmus receives the largest measure of attention, no less than eighty pages being devoted to the condemnation of reprehensible

[1] *Catalani de Secretario S. Cong. Indicis*, I, i, ix.

[2] Mendham, 143.

passages. The expurgators protest particularly at the contentions maintained by Erasmus against the worship of saints, images, or creatures.

In St. Chrysostom, passages are condemned which assert that, (a) sins are to be confessed to God, not to man; (b) that faith alone justifies; (c) that grace is excluded if we are saved by works; (d) that images are not to be adored; (e) that nothing is to be asserted without the authority of Scripture, which is to be read by all and which, to all who are willing to learn, is intelligible; (f) that after this life nothing can assist or deliver.

The *Theatrum Vitae Humanae*, compiled by Theodore Zwinger, receives as much analysis as is permitted by the space at the command of the expurgators. The work itself is comprised in no less than twenty-nine octavo volumes. The reference to it being with a note worded as follows: "Since this work is in a great degree collected from the writings of condemned authors, it is to be read with special caution. The names of these authors are never to be cited or referred to honourably; and, to guard against error in the case of any author of whose condemnation the reader may have doubts, he must have recourse to the schedule of the first class."

Zwinger has found occasion in his list of popes to use for not a few, descriptive epithets that are by no means honourable. Mendham remarks that "no attainment of vice, and not even the taint of heresy has been considered by the authorities of the Church to be of force sufficient to bar the claim of the popes to doctrinal infallibility in matters of faith and of morals."[1]

The faithful student who might desire to utilise this

[1] Mendham, 146.

expurgatory Index as a guide for his own reading, or who might think it important to verify the accuracy of the citations condemned as heretical, would find difficulty in tracing these citations, as the expurgators have not thought it desirable in a single instance to specify the page or even the volume from which the alleged extract has been made. The opportunity thus given for attributing heretical opinions to one author or another is obvious. An article in the *Protestant Guardian*[1] gives, as an example of the methods of these Madrid expurgators, quotations from the corrections made in a treatise by Hernando de Santiago, *Consideraciones sobre los Evangelios de la Quaresme:* "not Abimelech, you mean Melchizedech; and where you speak of Pelagians you certainly should say Socinians; books of chivalry should of course read books of the Maccabees; on page 149, Persia should read Assyria, Anna, the sister of Moses, is evidently an error for Miriam, while Tamar should be changed to Dinah."

A reprint was issued in Geneva, in 1619, by Turretin, professor of divinity. The editor places on his title-page the following lines:

Indices huic libro nomen praefigitur apte;
Nam proprio Sorices Indicis pereunt.

The allusion is to a line in Terence, *Eunuch.*, Act V, scene 7, *Egomet meo indicio, miser, quasi sorex, hodie perii.*[2]

2. 1617. Cracow Index Prohibitorius.—Index Librorum Prohibitorum; cum regulis et cum adjecta instructione de emendandis imprimendisque libris et de exequenda prohibitione. Nunc in hac editione congregationis cardinalium edictis aliquot, et librorum nuper scandalose

[1] 1827, i, 118 *et seq.*
[2] Cited by Mendham, 135.

evulgatorum descriptione auctus. Cracoviae. 1617. This was issued under the instructions of Szykowski, Bishop of Cracow. There had, it seems, been two previous editions, one initiated by Macierowski, Bishop of Cracow, the other by Zamoyski, Bishop of Chelmin. The above title is taken from Peignot.

3. 1624. Lisbon. The Inquisition. Prohibitorius et Expurgatorius.

This Index, issued in July, 1624, under the authority of the Inquisitor-General, Fernando Martius Mascarenhan, bears as its main title the wording *Index auctorum damnatae memoriae, tum etiam librorum, qui vel simpliciter, vel ad expurgationem usque prohibentur, vel denique jam expurgatae permittentur.* As indicated by this title, the Index is expurgatory as well as prohibitory. Part I presents the lists of books prohibited in the Roman Indexes and decrees up to the year 1610. The three classes are merged under a single alphabet. Part II presents an *Index prohibitorius Lusitaniae*, in which are summarised, under one alphabet for each language considered, the several lists of the Portuguese prohibitions. These Portuguese prohibitions follow very closely the lists of Sandoval. The rules, based in substance upon the Ten of Trent, are here expanded into fifteen.

The material in the expurgatory section is in larger part transcribed from Sandoval. The Index of Trent had been printed in Portugal in 1581, and that of Clement in 1597. The Portuguese historian Seabra takes the ground that, under Philip IV, no Index could be published without the authority of the King. Philip had, in Portugal as in Spain, maintained a certain personal supervision of the censorship operations of the Inquisition. Reusch is of opinion that any re-

prints of the Roman Indexes must have secured the approval of the King. In 1623, the King issued an order prohibiting the reprinting, without the authority of the chamberlain of the palace, of any book which had originated outside of Portugal. In 1633, this order was renewed, with the specification of books bearing upon the authority of the State and the history of the times.

In the edict which stands at the head of the Lisbon Index, the inquisitor-general directs that copies of all books specified in the prohibited lists shall, within thirty days, be delivered to the local inquisitors, and further, that persons possessing copies of books belonging to the general classes prohibited, or of books the texts of which are ordered to be expurgated, must, within thirty days, deliver lists of the same, and hold said books subject to instructions. The penalty for disobedience is, as usual, excommunication.

In the prefatory note to the expurgatory Index, occurs the remark, that the works of certain well-known writers which, by the editors of previous Indexes, have been considered to require expurgation, have here not been included because their errors have been so thoroughly refuted in the schools and in other books that their influence need no longer be dreaded, and there should be no present risk for thoughtful readers. The list of later Catholic writers whose works are marked for expurgation is larger than in any other Index. Attention has also been given to a number of works in the class of belles-lettres which the editors have undertaken to purge from obscenities. Finally, the Index contains a series of works on astrology, the expurgation of which has been undertaken with reference to the instructions given by Sixtus V in a Bull issued in 1585 (forty years earlier.)

This is the first Index in which appears the title of the essay by King James I of England, written in defence of his requirement for an oath of fidelity. This title, which is entered under the letter A, is worded as follows:

Apologia pro juramento fidelitas, primum quidem anonymos, nunc vero ab ipso auctore serenissimo et potentissimo Principo Jacobo, etc. Lond. 1609.

The work is again condemned in the Spanish Index of 1632, where it is entered under J. Jacobus Rex. In the same year it finds place (this time also under A) in the Roman Index, the *Elenchus Capsiferrei*, from which it has been repeated into the later Indexes of Rome. The continued condemnation of this treatise is of importance as evidence of the papal doctrine (which appears never to have been revoked) of the right of the pope to depose kings. The Reverend Mr. O'Sullivan, in his testimony before the Parliamentary Committee of 1825, on the State of Ireland, deduces this doctrine from the condemnation given by the Church (in the Index) to the *Apologia* of King James.[1]

4. 1628. Rome. Papal Decree. This decree contains an article entitled *Elucidarium Deiparae Auctore Joanne Baptista Poza.*

Poza replies in a caustic *Apologia* in which he charges Brasichelli with censuring the Fathers, and with an unwarranted condemnation of Emmanuel Sa. This rebellious conduct was punished by the Decree of September 9, 1632, making condemnation of all of the works of Poza. This decree is reversed in a supplement to the Spanish Decree of 1640. The obedient Catholic was therefore at liberty to read the works of Poza and of Sa within the dominions of Spain, but

[1] Cited by Mendham, 161.

in so doing in other territory, he incurred excommunication.

5. 1632. Rome. Index Prohibitorius.—Elenchus Librorum omnium tum in Tridentino, Clementinoque Indice tum in aliis omnibus Sacrae Indicis Congreg.nis particularibus Decretis hactenus prohibitorum: Ordine uno Alphabetico, Per Fr. Franciscum Magdalenum Capsiferreum Secretarium digestus. Romae. MDCXXXII. *Ex Typog. Camerae Apostolicae Superiorum permissu.*

The dedication reads: *Urbano VIII. Pont. Opt. Max.*

This Index is chiefly intended, as is indicated in the preface, to facilitate reference by writing under one alphabet the divisions of the original Indexes, and by giving surnames as well as Christian names.

6. 1632. Seville. Index Prohibitorius et Expurgatorius.—Novus Index Librorum Prohibitorum et Expurgatorum; editus auctoritate et jussu Eminent.mi ac Reverend.mi D.D. Antonii Zapata, S.R.E. Presbyt. Card. Tit. S. Balbinae; Protectoris Hispaniarum; Inquisitoris Generalis in omnibus Regnis; et ditionibus Philippi IV. R.C. et ab ejus Statu, etc. De Consilio Supremi Senatus S. Generalis Inquisitionis. Hispali, ex typographico Francisci de Lyra. AN. MDCXXXII.

The Inquisitor's *Edict* refers to the Apostolic Brief of Urban VIII as the reason for the production of a new Index, and states further that this comprises, in addition to the works of the later modern writers, no less than 2500 works of ancient authors who had been overlooked by those responsible for the preparation of previous Indexes. The usual prohibitions follow, with the penalty of the greater excommunication. The *Brief* of the Pope is in line with that of Paul V. Terrified at the abuse of existing licenses, the Pope revokes them all, very emphatically:

Revocamus, cassamus, irritamus et anullamus, ac veribus penitus evacuamus et pro revocatis, etc.

Authority is given to the cardinal presbyter to put into execution the several decrees, and to call in, if necessary, the assistance of the secular arm. The "Notice to the Reader" announces that in place of prohibiting altogether, it has been thought best to permit, with some necessary expurgation, the reading of certain works by heretics. For convenience of reference, there is included in the work a general index covering in one alphabet the titles in both the expurgatory and prohibitory divisions. The volume is the most considerable in bulk of the Indexes thus far put into print, comprising over a thousand pages.

One entry in the class of authors proscribed *in toto* is rather curious in its wording:

Martinus Lutherus. Islebii natus in Saxonia, an. 1483. Praedicat contra indulgentias 1517. Ab ordine Religioso et a Fide Catholica Apostata, et Heresiarcha, 1517. Reperitur in lecto misere exanimis, 1546.

This passage did not make its appearance in any subsequent Index.

7. *1640. Madrid. Sotomayor.* In 1640, the Inquisitor-General Antonio de Sotomayor (a Dominican) produced an Index, also printed in Madrid, which contains both prohibitory and expurgatory divisions. An edition of this Index, printed (without imprint) either at Lyons or Geneva, secured a wide circulation. Sotomayor died in 1648, in his hundredth year. His Index was reprinted in Madrid in 1662, and again in 1667, under the name of his successor. The Spanish Index of 1707 refers, however, to that of 1640 as "the next preceding."

Sotomayor's introduction begins with a long de-

clamation against heretical writers who have ventured to issue, under the names of Catholic authors, pernicious and damnable books; who have interpolated into the text of orthodox writings heretical passages; who have described as untrustworthy the writings of the Fathers of the Church (for instance the treatise of Ambrosius on the Sacraments and the works of Dionysius Areopagita); and who have destroyed great numbers of pious books presenting good Catholic doctrine. The regulations which follow are issued under the general Apostolic authority vested in the inquisitor-general, and under the special authority given by the Brief of the Holy Curia. All copies of works which are specifically condemned by title, or which belong to the classes condemned *in toto*, are to be delivered within ten days to the local inquisitor. Whoever retains books classed as heretical, falls under the *excommunicatio latae*. The retention of other prohibited books brings upon the possessor the penalty of the *excommunicatio ferendae*. In either case, there is a further penalty of a fine of six hundred ducats, and such additional punishments as may be ordered by the Inquisition. The power rests with the inquisitor-general alone of freeing delinquents from these penalties.

The sixteen rules contain certain additions to the Regulations of Trent. The writings of Catholics are, for instance, not to be condemned on the ground of containing extracts from the works of heresiarchs cited for the purpose of refutation. In the supervision of books for the purpose of expurgation, care is to be taken not to cancel the names of heresiarchs who are referred to by the authors in connection with necessary refutations.

The rules and penalties are similar to those previously

in force. The supplement contains an entry permitting, after certain expurgations, the reading of the works of Poza, which by the Roman Congregation had been absolutely condemned.

As examples of the character of the expurgations which find place in the Spanish Indexes may be cited the following: Sotomayor orders the cancellation, in bibliographies or other works of reference, of the following terms when applied to names of writers standing in the general Index in Class I: *vir optimus*, *pius*, *bonae memoriae*, *doctissimus sapientissimus*, *princeps eruditorum*, *divinus* (*Scaliger*), *Germaniae lumen* (*Melanchthon*), *decus saeculi nostri*, *etc.* It is however permitted to describe Buchanan as a "poet of elegance," Henricus Stephanus as "learned in Greek scholarship," Tycho Brahe as "a distinguished mathematician and astromoner"; because the attainments so indicated are the gift of God and have not been utilised, at least directly, against the true faith. The Spanish editor goes on to say, that such titles as doctor and *magister* can, strictly speaking, properly be ascribed to no one outside of the Church; the reference is to cases in which these titles have been given by heretical universities whose authority is not recognised by the Church. The title *Dominus* can however be permitted.

The expurgatory lists of Sotomayor include the title of the *Vitae Germanorum* of Adams; the expurgations comprise thirteen folio sheets. There are certain interpolations comprising such terms as *notam auctoris damnati* or *homo damnatae memoriae*, etc. In the *Bibliographica critica*, of Michael Josephus, published in Madrid in 1740, the author says in his introduction:

"In the specification of works of heretics I have taken pains to avoid using any terms of commendation; for

it is certainly not right that infamous persons who have fallen away from the true Catholic faith should in any fashion be honoured. Certain Catholic writers have on the other hand contended that heretical authors whose work had been devoted to subjects outside of theology or religion, such for instance as philology, geography, profane history, jurisprudence, and the like, could very properly be commended for their contributions to learning. To this suggestion I should respond that I am prepared to recognise the possibility of heretics possessing learning and talents, and that certain heretics have written on certain subjects works which may be of use to Catholics; but it seems to me entirely improper to give any measure of praise to such men who have failed to use for the support of the true faith the abilities with which they have been endowed by the Lord. They can receive enough praise from their heretical friends and it would tend to make them intellectually insolent to learn that they had been honoured also by Catholics."

8. 1664. Rome. Alexander VII. The Index of Alexander, which in chronological order belongs at this point in the schedule, is considered separately in Chapter XIII.

9. 1707. Madrid. Index Prohibitorius et Expurgatorius.

Novissimus Librorum Prohibitorum et Expurgandorum Index pro Catholicis Hispaniarum Regis Philipi V Reg. Cath. Ann. 1707.

On the engraved title is printed, *Index Expurgatorius Hispanus ab Ex^mo D^no Didace Sarmiento et Valladores inceptus, et ab Ill^o D^no D. Vitali Marin perfectus, etc. De Consilio Supremi Senatus Inquisitionis Generalis.*

The work is contained in two volumes, the first comprising 791 pages and the second 342 pages. It begins with the edict of the Bishop of Ceuta, and Inquisitor-

General, Don Vidal Marin, who explains that he is completing the work of his predecessor Don Diego Sarmiento, who had been interrupted in his labours by death. He writes that, considering the importance and necessity of continuing the Spanish Index of 1640, this Index has been prepared in order that the books and pamphlets issued during the last sixty-seven years might, as far as requisite, be prohibited or expurgated and that the faithful might thus be preserved from the errors which would otherwise have been caused through the circulation of heretical or erroneous texts. The previous *Advertencias* and *Mandatos* are repeated and are ordered to be enforced with the utmost rigour of the law. Provision is made for the publication of the Index in all churches, cathedrals, colleges, and cities.

An *avis* of the Privy Council of Brussels, printed in 1708, contains the following naïve remark in regard to this Index: *Et pour montrer qu'il est très difficile d'examiner les livres et de discerner s'ils doivent être condamnés ou pas, on n'a que prendre recours a l'Index Expurgatorius d'Espagne, émané dernièrement en l'an 1707, ou se trouvent plusieurs livres approuvés que Rome a condamné, et de même plusieurs condamnés par les Inquisiteurs que la Ste. Congregation n'a pas trouvé convenir de proscrire.*

10. 1714. Namur and Liège. Hannot.—Index ou Catalogues des principaux Livres condamnés, rédigé par Jean Baptiste Hannot, Recollet, Lecteur en Théologie.

This Index, while issued *avec approbation*, was compiled without any specific authority. It comprises a selection, arrived at apparently in a rather haphazard fashion, of works favouring Jansenism.

11. 1747. Madrid. Prado. 2 vols. 1200 pp. Pro. and Ex. This Index is noteworthy for its *Catalogo* of Jan-

senist books. The list originally included the *History of Pelagianism* by Cardinal Noris, but this entry was, as Mendham points out, subsequently cancelled by the reprinting of a leaf.[1] The cancellation was the result of a protest or remonstrance addressed by the Pope (Benedict XIV) to the Inquisitor-General, Compostolla. The brief of Benedict is given in a supplement to the *Bullarium* of that Pope, and is cited from the edition printed in Mechlin, in 1827. The Pope reminds the inquisitor that it is the policy of the Church to exercise censorship with moderation and conservatism. He refers to the treatise of Bossuet, published under the commands of the King of France, which was written in direct hostility to the infallibility of the Pope and to his claim for authority over the temporal rights of princes; and he reminds the inquisitor that his predecessor had decided that the interest of the Church would be better served by forbearing.

12. 1790. *Madrid. Index Prohibitorius et Expurgatorius.—Indici Ultimo de los libros prohibidos y mandados expurgar; paratodos los Regnos y Señorios del Catolico Rey de las Españas el Señor Dom. Carlos IV.* The work contains the prefatory matter of the three preceding editions, and brings the lists of condemned and expurgated books down to the close of December, 1789. The Inquisitor-General, Cevallos, under whose supervision the work was prepared, declares, as the purpose of the Index, the presentation of an alphabetic compendium which should comprehend not only the contents of the Index of 1747, but likewise the titles of all works which had been prohibited or sentenced to expurgation in the edicts previously cited up to December 13, 1789. "This would," he believed,

[1] Mendham, 239.

"serve to close the door to the excesses of printers and booksellers and also to wrongful action on the part of private persons, and would prevent the evils consequent upon the introduction into the Kingdom of such pernicious commodities as heretical books."

The Index is noteworthy in expressing the change of policy in regard to the reading of the Scriptures. The inquisitor and his associates profess themselves to be sensible of the benefits to be secured by the faithful from the perusal of the Sacred Text, and with reference to the declaration to the same purpose in the Index of Benedict XIV (which declaration is printed in the present volume) they decide to accord permission for the reading of versions of the Bible in the vulgar tongue, with qualifications similar to those specified in the Benedictine Index. The longer expurgations of the earlier Indexes are not reprinted, but a reference is made, connected with the name of the author, to the Index in which the expurgation originated. For instance:

"Abailardus (Petrus) *ejus opera* V. Ind. Exp. 1747, p. 920."

With reference to these condensed entries, the Index of 1790 is often referred to as an Index manual. To the twelfth rule (in the series of sixteen) is added the instruction that the possessor of a book ordered to be expurgated is at liberty himself to make the necessary corrections in the text, provided, however, that his corrected text shall, within two months' time, be submitted to and approved by the local inquisitor.

Reusch points out that these Spanish Indexes, even the latest, contain many more errors, both bibliographical and typographical, than those of the Roman series before Benedict. The compilers of the Index of

Cevallos were of course in a position to utilise in their work the lists and the information brought together in the Index of Benedict. It would appear, however, that they made no use of the Benedictine Index, while it is evident that the compilers were in many cases quite ignorant of even the names of the authors and of the books condemned (not to speak of the contents). The following entry may be cited as an example of some likely to cause perplexity to the devout reader:

"Fulko Grevil, Theliffe Of the Renovudne, Senior Phillip Ciduaey" (Fulk Greville's *Life of the Renowned Sir Philip Sidney*).

13. Supplements to the Spanish Index of 1790. The second issue of the Index of 1790 contains two supplements which present the titles of certain books that, during the printing of the Index, came under the condemnation of the Inquisition. The works belong almost exclusively to a group of writings having to do with the French Revolution. In 1805, was printed a third supplement that contains books prohibited between 1789 and 1805. This list includes, in addition to writings of the Revolution, certain Italian works that had during the preceding decade been prohibited in Rome. Between the years 1806 and 1819 (years that covered the period of the French invasion, the short-lived kingdom of Joseph, and the reorganisation of the kingdom), the Inquisition published seven edicts in which a number of works were prohibited. These lists were, however, not combined into any official Index. In 1844, was printed in Madrid an Index in which were combined into one alphabet the lists of the Index of 1790, the supplement of 1805, and the lists of the Mechlin edition of the Roman Index of 1843. This publication was, however, a private and

unofficial undertaking. In 1848, was printed in Madrid an appendix to the Index of 1844, which contains the titles of the books prohibited by the Inquisition between 1805 and 1819 together with the titles of the books prohibited in Rome between 1842 and 1846. In 1863, was issued in Madrid a second appendix giving the titles of the books prohibited in Rome between 1846 and 1862.

The edict of 1782, a citation of which appears in the Index of 1790, orders that: All persons having permission for the reading of prohibited books must, not less often than once a year, make statement to the confessors of the books of this class that they are utilising. The confessors are authorised and instructed by the Inquisition to revoke these permits in case they find that the reading in question is causing injury to the faith of those holding the permits. The confessors are to demand of the penitents from time to time, and in any case at the time of the annual confession, whether they have in their possession copies of prohibited books and whether in the course of the year they have read any such books. In the former case, the penitents must agree to deliver the books for destruction; and in the latter must truly express their penitence for the sin committed. Until this has been done, they are not to receive absolution.

The permits for the reading of prohibited books given by the Roman Congregations are not valid in Spain. The permits issued directly by the pope are to be delivered to the inquisitor-general in Spain or to the council of the Inquisition, who are, if they are willing to confirm them, to make registration of the same. They may, however, refuse to confirm such Roman permits on the ground that the results would be injurious for those using them. The permission to read

prohibited books or to possess copies of them, does not carry with it the authority to import such books, to buy or to sell copies, to make presentation of copies, or to exchange them for other books.

Among the noteworthy books contained in the supplement to the Spanish Index, issued in 1805, may be mentioned the following: Bonnet, *Oeuvres*, 18 volumes; the works of Alexander Pope, Laurence Sterne (the reference is to the French version), Forster, *Voyage Philosophique;* Smith, the *Wealth of Nations* (French version); Burke, *Reflections on the French Revolution; Die Rechte des Menschen*, a reply to Burke's treatise on the Revolution, etc.

14. Examples of Spanish Prohibitions. 1559–1768. The first of the Spanish Indexes, that of Valdes in 1551, contains but one or two Spanish titles, but the lists of 1559 and 1570 give evidence of fuller attention to Spanish authors. The books prohibited belonged for the most part not to heretical literature, but were those presenting, in translations of the Scriptures or in controversies on points of doctrine, matter that was not safe or not suitable for the knowledge of the general lay public. The Inquisition in Spain had, from the beginning, been more sharply opposed than were the Church authorities elsewhere, to the distribution to the lay public of literature, and particularly of literature in the vernacular, having to do with the doctrines of the Church, even when such books were sound in their own teachings and had been prepared to expose and to repress error. The inquisitors took the ground that it was wiser to keep the faithful in ignorance of the existence of errors. An example of this policy is the prohibition in the Index of Valdes in 1559 of the writings of Francisco de Borja, who was later enrolled

with the saints, and of Juan de Avila Luis de Granada, who have since been classed with the best of the ascetic writers and as "shining lights in God's Church in Spain."[1] In 1571, permission was refused by the Inquisition for the printing of a Spanish version of the Roman Catechism. Valdes prohibited all tracts, letters, and pamphlets, reports of sermons, etc., that had to do with the Scriptures or with the Sacraments. This prohibition included any reprints in the Spanish tongue of the Gospels or of extracts from the Gospels or of the Epistles of Paul.

A prohibition initiated by Quiroga was continued through the following century, condemning "comedies, tragedies, and farces in which any reflection or ridicule was cast upon the Sacraments, the practice of church-going, the holy orders, or the Inquisition." In 1581, the Index of Lisbon added to the above a prohibition of the presentation on the stage of any ecclesiastical characters or the performance of any sacramental acts. This latter ruled out, of course, the representation of marriage. In one of the later Indexes, the second part of *Don Quixote* comes into the list of works to be expurgated, but the material condemned comprises but a single sentence: *Las obras de charidad que se hazen flaxamente, no tienen merito ni valen nada.*

It is a characteristic of the Spanish expurgatory Indexes that they do not give the references by chapter and by page to the texts of the authors corrected. Mendham points out that the careful and orthodox student, who might wish to assure himself of the accuracy of his own literary guides, would find it important to refer to the originals of the corrected texts if only in order to be

[1] *Hist. eccles. de España*, v, 263.

placed in a position to defend the action of his Church and to confound or possibly even to convert heretical opposers. "Supposing for instance," says he, "a discussion should take place between a believer and an heretical critic, and the latter should have the hardihood to assert that the sentences condemned in the Index were not the *ipsissima verba* or the necessary sense of the author referred to, what reply could be made by the defender of the Index who had never been able to make personal examination of the text in question?"[1]

In 1827, there was published in the *Protestant Guardian* (on pages 118 *et seq.*) a review of the censures in the expurgatory Indexes. The writer gives as examples of erasures that seemed to him to be futile or at least open to criticism the following: In the *Glossarium Graeco-Barbarum* of Mensius, out of twenty-five erasures fifteen consist simply in expunging before the names of Junius and other learned men the terms *V. C.*, *Eruditus*, etc.

So far from its being lawful to admit that a Protestant could be either learned or illustrious, it was forbidden even to give the name of theologians to Protestants pretending to Holy Orders. The English bishops always figure in the Indexes under the term "pseudo-episcopi." This is doubtless, however, a logical term for the Church to use concerning officials who must of necessity have been considered as usurping laymen. In the erasures in the ninth book of the history of De Thou, we find corrections of a more exacting character. The following is an instance: *Theologis, qui ad concilium*, pro *Theologis* scribe *iis. Et ibi decrevisse viros bonos mittere*, dele *bonos.*

[1] Mendham, 151.

The censor actually follows through his rambles the wandering Jew of Tudela, although the translation of this narrative was issued by so good a Catholic as Montanus (himself a censor) in order to blot out every kind word which Benjamin had uttered respecting his nation. For example: *Filius Jonae probandae memoriae*, dele *probandae memoriae; Synagoga sacra*, dele vocem *sacra; Filii Haziddai felicis memoriae*, dele *felicis memoriae;* and so on through a folio page.

It is somewhat curious that such works of English writers as have been considered by the framers of the Index, are placed almost exclusively in the prohibitory division, and in this are included in the first class, that is to say, under the heading of authors whose works, past, present, and future (*opera edita et edenda*), are absolutely prohibited. One of the few English books which have been mentioned by title (apart from the names of the authors) in the prohibitory Index is the version of the Psalms by Sternhold and Hopkins. This is the book understood to be referred to by the title *Psalmes of Dauid in Englische Metre.*

CHAPTER XIII

THE INDEX OF ALEXANDER VII AND THE CONDEMNATION OF GALILEO—ROME, 1664

IN 1664, was published at Rome the *Index Prohibitorius* of Alexander VII. In the accompanying Bull, the Pope says that since the publication of the Index of Clement VIII, a number of books had been prohibited by his successors and by the Congregation of the Index, but no authoritative schedule of the same had been issued which presented in one comprehensive list the titles of the books and the names of their authors. He had, therefore, caused a new Index to be compiled which contained all the titles from the lists of Trent and of Clement, together with all the further prohibitions, and in which, for convenience of reference, the three classes of the Trent Index had been put together, which enabled the titles to be presented in one alphabeted list. The division into three classes of the books condemned had in any case been open to the objection that it had "tended to give the impression that the books of Class I were more pernicious than those of Classes II and III and their reading more reprehensible; while as a fact there were in the third class not a few works much wickeder than any in the other classes."

In addition to the titles of the prohibited books,

this Index presents the complete series of the decrees since that of the Trent Index, under which the prohibitions were ordered. "The several regulations, condemnations, and prohibitions," continues the rescript, "presented in this Index, we do hereby, under the Apostolic authority, confirm and approve as in force at this time and as binding on all the members of the Church; and we order that all universities, their associations, and individuals shall give obedience to the same without exception or reservation." Then follow the specifications of penalties, seventeen in all, and instructions to bishops and inquisitors for the publication of the regulations and enforcement of the penalties.

In 1665, the Secretary of the Index Congregation, Vincentius Fanus, published an edition of Alexander's Index, with the omission of the Clementine lists and of the series of decrees.

In 1667, was published, either at Lyons or Geneva, a reprint of the text as revised by Fanus, but with the addition of the Clementine lists and of the series of decrees. The latter are brought down to 1667. Fanus says of his edition that it is more comprehensive and more correct than that of 1664. It is not clear, however, from what sources his additional titles are taken. The division into three classes is abandoned; but he points out that there is no difficulty in identifying to which class an entry belongs. The name of an author, for instance, not followed by any book-title indicates Class I; the title of a book without name of author indicates Class III; while the author's name connected with title stands for Class II, which constitutes the bulk of the Index. Fanus has some idea of bibliographical method. He makes cross-references for authors who

in previous Indexes are presented sometimes under a forename and sometimes under a surname, the latter being frequently of course derived from the place of residence. The Index contains an "Address to the Reader" by Fr. Hyacinthus Libellus, Fanus's predecessor. In this address, the Secretary takes the ground that all other Indexes are to be considered as "private" (*i. e.* unofficial).

The first list in the series covers 160 pages. The second list presents exclusively books the title of which is followed by the name of the author. The third list is confined to books the title of which follows the name of the author. Then follows an appendix covering titles from 1661 to 1664, and this is followed by the text of the Tridentine Index, to which is prefixed an *Admonition* by Libellus giving the origin and the history of that Index. Libellus affirms that the deputation of the Index, originally instituted by Pius IV, was matured into a formal congregation by Pius V.

The concluding division is entitled: *Index Decretorum.* This is said to present *Omnia Decreta quae vel a Magistro Sac. Palatiti, cum ratione Officii siu, tum Jussu Sac. Congregationis, vel ab ipsis Sacris Congregationibus Indicis, et S. Officii emanuerunt.*

This Index of 1664 is noteworthy as containing the formal condemnation of the works of Copernicus and Galileo, and of all other writings which affirmed the movement of the earth and the stability of the sun. The proceedings against Galileo and the Copernican doctrine had been instituted in 1616 under Paul V. The final condemnation of Galileo was given in 1633, under Urban VIII.

The Condemnation of Galileo, and of the Copernican Theory of the Solar System.—The fourteenth and twenty-

eighth of the decrees summarised in the Index of 1664 present the record of the condemnation of Galileo. The records of the long series of the proceedings, upon which the final condemnation of Galileo was based, constitute a considerable mass of literature. It is necessary here to make reference only to the more essential conclusions arrived at by the Church authorities.

In March, 1616, the Congregation of the Index, under the instructions of Pope Paul V., had rendered a decree to the effect that "the doctrine of the double motion of the earth about its axis and about the sun is false and entirely contrary to Holy Scripture." The same decree condemned all writings of Copernicus and all writings which affirmed the motion of the earth. These condemnations were inscribed upon the Index and in connection with this Index was issued the usual papal Bull giving to its monitions the most solemn papal sanction. "To teach or even to read the works denounced or the passages condemned was to risk persecution in this world and damnation in the next."[1]

The abjuration of Galileo bears date July 22, 1633. The decree of the same date, which sentences the philosopher to imprisonment and other penance, sets forth that the ground of the charge against him was his statement that the sun was the centre of the system and was immovable, and that the earth, revolving around the sun and also around its own axis, was movable. The decree sets forth further that, in 1616, the offender had been admonished by Cardinal Bellarmin, and that in the same year the Congregation of the Index issued a decree condemning the doctrine; notwithstanding this condemnation, Galileo had again

[1] White, i, 138.

offended by repeating the same erroneous theories in a volume entitled *Dialogo*.

This volume, issued in 1632, was a treatise presented in the form of a dialogue, exhibiting the arguments for and against the Copernican and Ptolemaic systems. The publication was the result of discussions which had extended through eight years, and was finally permitted only on the condition that the volume should contain a preface, for the wording of which Ricciardi, master of the sacred palace, was responsible, but which bore the signature of Galileo, and in which the Copernican theory was described as a mere play of the imagination and as not in fact opposed to the Ptolemaic doctrine. The book secured at once a large circulation and a widespread influence. The preface was disregarded or was laughed at, while the reasonings in the dialogue were accepted by many as practically conclusive of the Copernican doctrine. These reasonings were considered by the new Pope, Urban VIII, as bringing him into ridicule and, under the Pope's instructions, Galileo and his books were placed in the hands of the Inquisition. It was later contended by certain Catholic writers that Galileo was condemned not for his opinions or theories, but for having claimed to found these theories on Scripture. Sir Robert Inglis is quoted by Mendham as having maintained this view as late as 1824.[1] This contention appears however to be fairly met by the fact that the Roman Index of 1704 contains an explicit condemnation of "all works maintaining the mobility of the earth and the immobility of the sun."

The decree numbered thirty-eight and issued August 23, 1634, specifies, with other condemned books,

[1] Mendham, 176.

Dialogo di Galileo Galilei. Decree number fourteen connects with the condemned Copernican doctrine the name not of Galileo but of Foscarini. It adds, however, the general sentence: *Aliosque omnes libros pariter idem docentes.*

The names of both Foscarini and Galileo appear in the body of the Index, the first under *Lettera*, the second under *Dialogo.* In the Roman Index of 1704 (first edition), the following entry stands in its alphabetic place: *Libri omnes docentes mobilitatem Terrae et immobilitatem solis.* In all later editions of the Index this entry was, however, omitted.[1]

Sundry theologians of the Inquisition were instructed to examine two propositions which had been extracted from Galileo's letters on the solar system. Their decision was rendered as follows:

> "The first proposition, that the sun is the centre and does not revolve about the earth, is foolish, absurd, false in theology, and heretical, because expressly contrary to Holy Scripture"; and "the second proposition, that the earth is not the centre but revolves about the sun, is absurd, false in philosophy, and from a theological point of view, at least, opposed to the true faith."[2]

The ground on which had been based the contention of the defenders of the Church that Galileo had made the Scriptures responsible for his new theory of the solar system, was a suggestion contained in letters written by the astronomer to his friend Castelli and to the Grand Duchess Christine, to the effect that his discoveries might be reconciled with Scripture.

The result of the long contest is now, of course,

[1] Mendham, 176.

[2] Cited by White, i, 160, from the original trial documents.

fully on record. The examinations and discussions had extended over a period of sixteen years. Galileo had for a large portion of that time been kept in prison under the direct control of the Roman Inquisition. It appears from the records, which have been summarised by Andrew White and others, that by the express order of Pope Urban he was menaced from time to time with torture, although it is probable that physical torture was never actually administered. The old man was finally (in 1633) forced to pronounce publicly and on his knees a recantation worded as follows:

"I, Galileo, being in my seventieth year, being a prisoner and on my knees, and before your Eminences, having before my eyes the Holy Gospel, which I touch with my hands, abjure, curse, and detest the error and the heresy of the movement of the earth." [1]

The Inquisitors were ordered not to permit the publication of any further editions of Galileo's works or of any writings upholding his theories. On the other hand, "theologians were urged, now that Copernicus and Galileo and Kepler were silenced, to reply to them with tongue and pen." Europe was flooded with these theological refutations of the Copernican system.[2]

The authority of the Index of the Congregation and of the Papacy back of the Index remained committed to the position taken by Pope Urban and his advisers until the time of Benedict XIV. In 1757, under instructions given by Benedict, the Congregation of the Index removed the old-time restrictions on writings advocating the Copernican system. As late, however, as 1765, Lalande, the great French astronomer, attempted without success to secure from the authorities

[1] Cited by White, i, 142, from *L'Epinois*. [2] *Ibid.*, i, 144.

at Rome the removal from the Index of the works of Galileo.

Artaud, writing in the Dublin *Review* in September, 1865, in defence of the record of the Church, states that Galileo's *Dialogue* was published complete in Padua in 1714, "with the usual approbations." In the same article, it is stated that in 1818 the ecclesiastical decrees were repealed by Pius VII in full Consistory.[1] The historian Cantu, however, who is described as an authority favourable to the Church, speaks of the work of Copernicus as remaining on the Index as late as 1835.[2] Cantu's authority is supported by Reusch.[3]

In 1820, Canon Settele, professor of astronomy at Rome, had ready for publication an elementary text-book which was based upon the Copernican system. The master of the sacred palace, Anfossi, refused to allow the book to be printed unless Settele would re-shape it and would refer to the Copernican theory as merely an hypothesis. The professor appealed to Pope Pius VII by whom the matter was referred to the Congregation of the Inquisition. The issue aroused considerable discussion but finally, on the eleventh of September, 1822, the cardinals of the Inquisition agreed upon the concession that "the printing and publication of works treating of the motion of the earth and the stability of the sun, in accordance with the general opinion of modern astronomers, is hereafter permitted at Rome."[4]

The decree was ratified by Pius VII and, after a delay of two years, the professor was permitted to place his book in the hands of the printers. It may, I judge, be inferred that until the publication of this

[1] Cited by White, i, 157.
[2] *Histoire universelle*, xv, 483.
[3] II, 396.
[4] White, i, 156. Canton, xv, 483.

volume, late in 1822, the pupils in the orthodox Catholic schools had not been permitted the use of any text-books on astronomy, the conclusions of which were in accord with the Copernican system. It was not until 1835, thirteen years after the decision of the cardinals, that an edition of the Index appeared in which was omitted all condemnation of works defending the double motion of the earth.

The divines in the Protestant Church were no more favourable than were the Catholic theologians to the Copernican theory of the universe. Lutherans, Calvinists, Angelicans, and Protestant teachers alike placed themselves on record as in opposition to the teachings of Copernicus and of Galileo. The great preacher in London, Dr. South, denounced as irreligious the report of the Royal Society in which the Copernican doctrine had been accepted. As late as 1724, Professor John Hutchinson of Cambridge, in a treatise entitled the *Principia of Moses*, undertook to build up from the text of the Bible a complete physical system of the universe. In this treatise, the Newtonian and Copernican theories were condemned as atheistic. In 1722, Thomas Burnett, in the sixth edition of his *Sacred Theory of the Earth*, argues for the scriptural doctrine of the earth's stability. In Holland, the Calvinistic Church was from the outset strenuously opposed to the whole new system. The opposition of the Lutherans was continued until a very late date. In 1873, was issued by the Lutheran publishing house of St. Louis a work entitled *Astronomische Unterredung*, in which was again maintained the theory that the earth is a fixed body and the centre of the universe.

These utterances from the Protestants present sufficient evidence that the old theologies as they were then

interpreted could not easily be reconciled with the now accepted views of the constitution of the universe. It does not appear, however, that in any one of the Protestant realms the opposition of the divines to the new astronomy was associated with any persecution either of authors or instructors. The Church of Rome must assume the responsibility for having continued during a series of years, which ended only with the lifetime of its victim, the persecution of a great scientist whose only crime was his exceptional capacity for scientific investigation and his desire to present simply and effectively what he believed to be the truth. In 1852, two hundred and twenty years after the condemnation of Galileo, which had been brought about largely through the influence of the Jesuits, the astronomer Secchi, himself a Jesuit, presented, in one of the churches at Rome, the experiment of Foucault with the pendulum, making clear to the human eye the movement of the earth about its own axis.[1]

Another noteworthy title in the Index of 1664 is that of the *Lettres Provinciales* of Pascal. Mendham finds ground for surprise that an author who could maintain so emphatically certain of the most exacting pretensions of the Church of Rome should have been thought deserving of condemnation. In the seventeenth of the *Lettres Provinciales*, Pascal writes:

"*Grâce à Dieu, je n'ai d'attache sur la terre qu'à la seule Église Catholique, Apostolique, Romaine, dans laquelle je veux vivre et mourir, et dans la communion avec le Pape, son souverain chef, hors de laquelle je suis très persuadé qu'il n'y a point de salut.*"

[1] White, 157.

CHAPTER XIV

DECREES AND INDEXES, FRENCH, BELGIAN, BOHEMIAN, ROMAN, AND SPANISH, 1685–1815

1685. Paris. Decrees of Louis XIV.....1685–1735
Belgian Indexes.....1726–1767
Bohemian Indexes.....1670–1800
Editions of Roman Indexes.....1815
Madrid. Inquisitor-General.

1. 1685. Paris. Decrees of Louis XIV.—In 1685, shortly before the revocation of the Edict of Nantes, Louis XIV ordered the suppression and destruction of the writings of the Protestants. Harlay, Archbishop of Paris, thereupon published, at the request of the Parliament of Paris, a catalogue of these books which has, as compared with the Roman indexes, a distinctive character of its own. In this list of books condemned and ordered to be destroyed, no reference is made to the Indexes of the Roman series, and, on their part, these Indexes give no consideration to the Paris catalogue.

A convention of the clergy held in 1682, published a pastoral letter (*Un Avertissement pastoral*) addressed to those who followed the so-called reformed faith. The purpose of this *Avertissement* was stated to be a reconciliation with the Church of these backsliders; and it included a *mémoire* setting forth the different methods that could to advantage be followed in order to bring about the conversion of these heretics. In-

cluded in this *mémoire* is a statement of orthodox doctrine entitled "Doctrine of the Church as contained in its profession of faith and in the Decrees of the Council of Trent as opposed to the calumnies and the false charges spread to the world in the works of the so-called reformers."

In 1685, the convention addressed a brief to the King in which it is stated that the clergy did not demand a revocation of the Edict by means of which earlier kings, under unhappy conditions and on grounds that no longer existed, had for a time permitted the practice of the so-called reformed religion. The request was, however, submitted to the King that during the time in which the Edict should yet remain in force, the reformers were to be forbidden in their sermons or writings to abuse or to libel the Catholic Church. In August, 1685, Louis XIV published an edict in which reformers were forbidden to preach or to write against the faith and the doctrine of the Roman Catholic religion. They were further to be permitted to print only such books as contained the statement of their own creed, the text of their prayers, and their rules of discipline. All controversial books having to do with the Catholic faith were condemned, prohibited, and ordered to be destroyed. Any disobedience to this edict is to be punished with banishment and confiscation of property. The printing or the selling of the prohibited books is to be punished with a fine of 1600 livres, and with the cancellation of the license to print. The list of the books so condemned was published in September, 1685, under the authority of Archbishop Harlay and with an *arrêt* of Parliament. The title is, *Catalogue des livres condamnéz et deffendus par le Mandement de M. l'Archevésque de Paris.*

The catalogue is arranged alphabetically, but at the close is a supplement containing forty-five titles without alphabetical order. The titles are restricted to books printed either in Latin or in French but include a number which have been issued outside of France. This Index condemns as "scandalous" all versions of the Scriptures prepared by the Protestant ministers. In October was published the edict revoking the Edict of Nantes.

2. *Belgian Indexes 1695–1735.*—In the beginning of the 18th century, were printed in Namur two lists made up from the Roman Index. The first carries no editorial name and is printed in Latin under the title *Elenchus propositionum et librorum prohibitorum.* It bears the date 1709. The second carries the name, as compiler, of Jean Baptiste Hannot. The text is in French. The title reads *Index ou Catalogue des principaux livres condamnés et défendus par l'Église.* This bears date 1714. It comprises a selection of works in support of Jansenism. The compiler is a zealous member of the society of Jesus. Both these lists are private undertakings, issued under no ec clesiastical or political authority.

In January, 1695, Precipiano, Archbishop of Mechlin, published a decree which orders the condemnation of seventy-three works, chiefly the writings of the Jansenists. Among the titles given in the *Elenchus* of 1709 are the works of "de Chartes" (Descartes) and of Copernicus. The Index contains the following remark:

"A number of the books which were prohibited in the Tridentine Index, such as the works of Erasmus and Molinäus, have been corrected in the Antwerp *Index expurgatorius.* It may therefore be assumed that the later

editions of these works have been printed with the approved text."

The Index of Hannot, while unofficial, secured later the approval of the Bishop of Namur. The Index of Precipiano undertook to prohibit only books which had not already been prohibited in Rome. The Congregation of the Index paid no attention to the lists prepared by Precipiano. Of the long list of Calvinistic books condemned by Precipiano, only one, a treatise by Basnage, was prohibited in Rome (not until 1728), and of the sixty Jansenist writings only two, the *Difficultés* of Arnauld and an essay of Quesnel, found place in the Roman lists. Brussels, 1735.—*Catalogus Preliminaris donec amplior sequatur, Quorundam Librorum tum prohibitorum tum noxiorum aut Periculosorum et Proscriptorum e Belgio Austriaco*, etc. The first division is devoted to an *Instructio Summaria* comprising the general rules; then follows the body of the Index under the title: *Instructio specifica sine Catalogus*, etc. This Index is distinctive in giving in a separate schedule, connected with the titles by numbers, the grounds on which the books are condemned. The schedule is entitled: *Qualificationes et Censurae Librorum*. The lists are largely devoted to the works of Jansen, Quesnel, and van Espen. The Index is said by Mendham to have been the work of the Jesuit Father Wouters Hoynck van Papendrecht, Archpriest of Malines. The regulations provide for minute and vexatious visits of printeries and book-shops, and for interference with sales of books. The Index appears never to have got beyond the status of a scheme. It secured the cordial approval of the Governess, the Duchess Marie Elizabeth, but the Council of Brabant objected to the publication, and appears to have been

strong enough to maintain its objection. The regulations of the Index failed, therefore, to secure the sanction of law, and were not put into force. The result indicates that the authority of Philip IV in Brabant was not as final as had been that of Philip II. The scheme comes into print in a supplemental volume of the works of van Espen.[1]

The introduction contains the following noteworthy observation:

"*Il seroit inutile de répéter que dans tout le dit Catalogue on ne trouve pas condamné un seul livre de ceux qui ont voulu attribuer aux Papes ce pouvoir illimité, à l'égard des Princes seculiers, ce qui prouve encore le nécessité qu'il y a de maintenir les auteurs qui à cet égard ont soutenu les droits des Princes.*"

This complaint occurs not infrequently on the part of the critics of the Indexes. It was made among others by Fra Paolo in his *Discorso* on the Inquisition already referred to.

It is noteworthy that the members of the council speak of the author of the Index as being unknown to them. It is evident that they do not accept as real the authors whose names are given. It is a suggestion of Mendham that the chief purpose of the production of this particular Index was the proscription by the Jesuits of the works of van Espen. It is evident in any case from the character of the books selected for condemnation, as well as from the wording of the documents connected with the lists, that this Index was a part of the long fight of the Jesuits against the followers of Jansenius.

Among the authors condemned in this Index was, curiously enough, the well-known bishop and eloquent

[1] Mendham, 203.

preacher, Bossuet, called by some of his contemporaries the Eagle of Meaux, and also the *Mallens Haereticorum*. The full title of the work condemned is as follows: *Defensio declarationis celeberrimae quam de Potestate ecclesiastica sanxit Clerus Gallicanus*, 19 *Martii*, *1682*, *ab Illus. ac Rev. Jacobo Benigno Bossuet Meldensi Episcopo*, *ex speciali jussu Ludovici Magni Scripta*, 2 vol. 4to, Luxemburgi, 1730.

3. Bohemian Indexes, *1726–1767*.—In 1726, was printed in Prague a reprint of the Roman Index of 1704 together with the appendix of 1716. In 1729, was printed at Königgrätz, as a supplement to the Roman Index, an *Index prohibitorius* and *expurgatorius* in which special consideration is given to works in Latin, in German, and in Czech which had found circulation in Bohemia. The main title reads: *Clavis haeresim claudens et aperiens*. This is followed by a Bohemian title the substance of which is: "A key which has for its purpose the making clear to the understanding the pernicious character of heretical writings, and which, in so doing, shall provide for their extermination; or a catalogue of pernicious works which are likely to cause mischief and which on this ground have been prohibited, together with instructions for the identification of such dangerous writings for extermination of same."

In 1749, was printed at Prague a second and enlarged edition of this *Clavis*. In 1767, the Archbishop of Prague, Przichovsky, printed, in obedience to an encyclical of Clement XIII, an Index presenting Bohemian books only. The title is: *Index Bohemicorum librorum prohibitorum et corrigendorum et ordine alphabetico digestus*, etc. In the *Clavis* of 1729, the *Index prohibitorius* is arranged in three alphabeted

divisions, the first including the works in Czech, the second those in German, and the third the Latin titles, with which are certain in French. Following each division, are given certain blank pages left for the description of further books. In the second edition is given a special division entitled *Index librorum Veneria vel obscoena tractantium*, presenting a list of works the obscene character of which can fairly be inferred from their titles. It is noteworthy that this very legitimate division of censorship, which received very little attention either in Rome or in Spain, should have been cared for in Bohemia. Beneath the titles of the books in the list for expurgation, are given as a rule brief analyses constituting what might be called a *catalogue raisonnée*, for instance, *perstringuntur religiosi Societatis Jesu*, etc. Against such a name as that of Huss is added the term "heretic" or "arch-heretic." The compiler of the *Clavis* was a Jesuit, Anton Koniasch. Koniasch left at his death (in 1760) materials for a further Index which were utilised as the basis of the Index printed in 1767 by Przichovsky. The title proposed by Koniasch was: *Index librorum perniciosorum abolendorum vel repurgandorum*, etc. In the Index as published by the Archbishop, is the order that his pastoral brief, together with the encyclical of the pope, shall, within three weeks' time, be read on the Sunday in all German and Bohemian churches, and that, on the same day, a sermon shall be given devoted to the danger of heretical books. He orders further that whoever shall be convicted of reading heretical or prohibited books shall *ipse jure* come under excommunication. This is followed by an edict, issued by Charles VI and confirmed in 1749 by Maria Theresa, in regard to the distribution of heretical books. This

Index is both prohibitory and expurgatory, but the two sets of titles are arranged in one alphabet. It contains also an enlarged edition of the Bohemian division of the *Clavis*.

4. **Editions of the Roman Indexes, 1670-1800.**

1670. Rome. Clement X. In 1670, under the instructions of Clement X, Fanus prints an Index which contains the lists of Alexander and of Clement, with an appendix bringing the record of prohibitions down to date. This volume is again printed in 1675, with an appendix covering the prohibitions of five years.

1681. Rome. Clement XI. In 1681, under the instructions of Clement XI, Jacobus Riccius again reprints the same lists and decrees with supplements. An edition of this Index of 1681 was printed in Munich in 1683. Riccius states in his preface that, in addition to the including of the titles of the later prohibitions, he has found occasion for a number of corrections, both in the titles and in the names of the authors. The editors of the Roman Indexes are now beginning to show some regard for bibliographical completeness and typographical accuracy.

A second impression of the Riccius Index was printed in Rome in 1682, and a third edition appeared in 1739, printed without change, and the later prohibitions are recorded in a series of appendices. Between the years 1704 and 1744, were also printed various editions of this Index, in which the titles of the works prohibited from 1704 to 1739 find place in the main alphabet. Reusch points out, however, that from 1682 to 1754 no official edition of an Index was printed in Rome. A number of Indexes bearing the imprint of the Apostolic printing-office were as a matter of fact manufactured elsewhere,

chiefly in Venice.[1] Riccini, or Riccius, who served from 1749 to 1759 as secretary of the Index Congregation, states that for more than seventy years no official editions of the Index were printed in Rome; and that the editions issued from the presses of Venice, presenting the false imprints of the Roman office, contained many blunders and were not to be accepted as authoritative. The official and approved editions must in any case include an introductory word from the secretary of the Congregation.

The Index of Clement XI contains, as first printed, one alphabeted list. In later editions, this list is followed by appendices which, by the year 1734, had aggregated five. The first of these appendices has the epithet *Unica*. It is suggested that this term indicates that the appendix has been substituted for a previous faulty appendix. It is Hannot's understanding that the fault in the cancelled appendix consisted in a condemnation which had been almost immediately revoked.

In this same Appendix *Unica* appears for the first time in an Index the name of Fénelon, Archbishop of Cambray. The work condemned is *Explications des Maximes des Saints*. The particular offence in the volume is understood by Mendham to have been the acceptance by Fénelon of the views of the mystical Spanish nun, Sor d'Agreda. There were evidently, however, some other matters in Fénelon's volume which were found to be dangerous, as the Pope, Innocent XII, found occasion to issue in regard to it a special *Constitution* in which were condemned twenty-three propositions extracted from Fénelon's *Explications*. The perusal of the work was forbidden, under

[1] Reusch, ii, 34.

pain of excommunication, to all the faithful without exception. The *Constitution* bears date, March 12, 1699. In the same year, there was issued at Paris an *Arrêt de la Cour de Parlement* enregistering the letters patent of the king for the execution of this *Constitution*. The Archbishop appears to have accepted without protest the condemnation of the Pope and the authority of the High Court of Parliament.

1704. Rome. Index Prohibitorius.—Index Librorum Prohibitorum Innoc. XII. P.M. jussu. editus. Usque ad Annum 1681. Eidem accedit in fine Appendix usque ad mensem Junii.

1711. Rome Index: Prohibitorius. This Index, issued under the authority of Clement XI, has no prefatory matter and simply extends up to the date of 1710 the lists of the next preceding Roman Index.

1744. Rome. Index Prohibitorius. This Index is characterised as distinctive in the absence of all the customary prefatory articles excepting the *Regulae*. Among the works prohibited is a treatise of the Jesuit Benzi, which had some importance in the controversies of the period.

1750. Rome. Index Prohibitorius.—This is a reprint of the above with additions to 1750.

1785–1798. Rome. Decrees of Prohibition. During the period above specified, there was published at Rome a weekly journal under the title of the *Giornale Ecclesiastico*. The series for the thirteen years covers thirteen volumes. This journal was utilised for the publication of the decrees issued against specific books by the authorities of the Church. The first work receiving the compliment of such special condemnation was a treatise of Eybel entitled *Was ist der Pabst?* The author is characterised as one of

the ancient enemies of the Apostolic See. Excommunication is ordered against any readers, possessors, or printers of the work and the absolution or relaxation of the penalty is reserved to the pope excepting in the moment of death. A later volume contains a regular decree by the Congregation of the Index in which are condemned twenty-four different works. In the fourth volume appears among other titles the *Pensées* of Pascal, with Voltaire's Notes. The volume contains also a specification of the dogmatic constitution issued by the pope against the Council of Pistoria. Mendham refers to the Memoirs of De Ricci as containing an explanation of this condemnation.

5. *1815. Madrid. Index Prohibitorius.*—The lists in this Index, which is issued as usual under the authority of the inquisitor-general (only recently restored to power) are devoted almost exclusively to Spanish publications.

CHAPTER XV

ERASMUS AND LUTHER IN THE INDEX

1. **Erasmus in the Index.**—The treatment accorded by the compilers of the Indexes of the 16th century to the writings of Erasmus is entitled to separate reference, if only because the variety of the successive prohibitions and classifications gives evidence of the difficulties experienced by the authorities of the Church in maintaining any consistency of policy in regard to the supervision of critical literature. The position of Erasmus among the leaders of thought of his time was, of course, in many respects exceptional. His varied and comprehensive attainments placed him among the first scholars of the world. He united with scholarship a keen sense of humour, an incisive and forcible literary style, and a courage of opinion which were not hampered by any large measure of reverence for authority or tradition. His writings, in their original Latin form, found their way in the first place to the educated circles of the upper classes and of the more liberal-minded of the ecclesiastics, while the versions in the vernacular which speedily followed, in both authorised and unauthorised editions, were taken up with cordial appreciation by all classes of readers throughout Europe. In fact, in popularity, as far as popularity is to be gauged by the extent of circulation, the books of Erasmus were surpassed only by the writings of Luther, while the range of their distribution

—that is, the extent of the territory reached and the variety of the circles of readers by whom they were welcomed—must have been much in advance of anything attained by the writings of Luther.

The attacks of Erasmus on the abuses which had grown up in the Church were of course a most important factor in bringing about the conditions that made the Reformation possible, and in fact inevitable; but Erasmus fought for reform within the Church of which he always held himself to be a dutiful son. He refused from the outset to take part with the Protestant assault on the authority of the Church universal, and his scholarship and influence were undoubtedly a most important influence in helping to maintain this authority against the fierce antagonism of the Lutheranism of Germany and the Calvinism of Geneva. And yet at the very time when the reformers of Wittenberg, in their keen disappointment that they were not to have in their long fight the co-operation of the great scholar who had so fully realised and so trenchantly assailed the evils against which they were revolting, were condemning the writings of Erasmus as unchristian and time-serving, the censors of Rome were placing these same books on the Index as constituting serious heresy. From Wittenberg, were hurled fierce denunciations of the trimmer, the time-server, the man who was sinning against the light; while from Rome came bitter charges of heresy against the insidious enemy of the true Faith, against the man who, trained in the Church, was using his scholarship to undermine its authority.

Erasmus stood practically alone in the world of belief and of disbelief. He had no sympathy with the doctrines of either Luther or Calvin. He could not accept the theory of individual interpretation of

religious truth. He believed in a Church universal. He looked and worked for the time when this world's Church, shaking off the corruption, the worldliness, and the vulgarity by which it had become demoralised, should, under the leadership of scholars, wise, sane, tolerant, and pure-minded, resume its authority over all Christian believers. To this end, he continued to denounce and to hold up to ridicule, as the worst enemies of the Church, the intolerant bigots and the vulgar corruptionists whose actions were bringing it into disrepute and strengthening the hands of the reformers.

An English scholar presents as follows the position of Erasmus:

"It is the conclusion of Erasmus that the Bible, learning, criticism, humanism, are each and all incomplete as guides to man without the permanent interpretative power and historic witness of the visible institution ordained by Christ Himself. His appeal is always to Christ; but it is inconceivable to him that Christ should be apart from His Church or the Church from Him. . . . As critic and as historian, Erasmus found it impossible to say that Christ was right and that the fundamental principles of the continuous Church were wrong. Thus, what the Church had regarded as essential doctrines were and must remain the permanent, unalterable bases of loyalty to the Lord. . . . Erasmus believed in the Church not as a congeries of disintegrating elements, not as a rigid and inflexible machine, but as a sacred institution divinely instituted and divinely inspired, and because it was ever in touch with divine life continually growing and developing into the knowledge of the truth. . . . The Church was to him the body of Jesus Christ, and in Christ he profoundly believed; and, so believing, he was not impatient, not afraid to wait for light." [1]

[1] W. H. Hutton, in the *Quarterly Review*, January, 1905.

It is not surprising that the Congregation of the Index found difficulty in classifying the writings of Erasmus. The predecessors of Paul IV had held these writings in favourable consideration, and to certain works had given distinct approval; and they had in various instances extended to the author protection against attacks.[1] In 1516, Leo X praised his "sound morality, his rare scholarship, and his distinguished services,"[2] and had accepted the dedication of his New Testament. The second edition of the New Testament contains an appreciative letter from Leo, dated September 10, 1518. Adrian VI, writing in December, 1522, assures Erasmus that he gave no credence to those who described him as a follower of Luther, and exhorts him to continue the work of writing against the heretics. In January, 1523, the Pope thanks him for the gift of the *Arnobius*.[3] Paul III, in a brief of May, 1535, speaks of "having always held in esteem the honoured name of Erasmus," and refers to his great learning and eloquence, and to his contests against the pernicious new errors.[4]

In August, 1535 (a year before the death of Erasmus), Paul appointed him Provost of Deventer, by reason of his learning, his piety, and the great services he had rendered to the Curia in his sturdy fight with the apostates from the Faith.[5] Later, the Pope spoke of wishing to make him cardinal.[6] The chief opponent of Erasmus among the prelates of Rome was Aleander. Aleander prides himself on having, as he believes, disposed Erasmus favourably towards himself, because he hopes thus to be able to check Erasmus's oppor-

[1] Schlottman, *Erasmus redivivus*, i, 156, 171.
[2] Erasmus, *Epist.*, 193.
[3] Maurenbücher, *Gesch. der Kath.*, Ref. i, 211. [4] *Epp.*, 1280.
[5] Vischer, *Erasimana*, 34. [6] *Epp.*, 782, 796, 798.

tunities for working further mischief.[1] Another antagonist of Erasmus was Edward Lee, who, in 1532, became Archbishop of York. He wrote three treatises in criticism of the Erasmus edition of the New Testament. On the other hand, Erasmus found bitter assailants among such German Reformation leaders as Luther, v. Hutten, Bucer, Corvinus, and others. Some of the anti-Erasmus treatises of these writers find place in the Index. The ninth volume of the works of Erasmus is made up of the replies to his Protestant critics. From France, also, came sharp criticisms against the writings of Erasmus, but these were the work of orthodox authorities such as the theologians of the Sorbonne, and the inquisitor-general. The Sorbonne sent out, between 1525 and 1530, a number of condemnations of different books of Erasmus, but these continued to come into print in Paris, with or without "privilege." In 1531, appeared, under the permission of King Francis, editions of the *Paraphrases* and of the *Colloquia*.[2] In 1542, after the death of Erasmus, the Sorbonne issued a general condemnation of his writings, the list comprising fifteen titles.

In the Netherlands, Erasmus had the protection of the Emperor Charles V. No one of his books finds place in the Louvain Indexes of 1546 and 1550. In that of 1558, is printed only the title of the French version of the treatise *De Sarcienda Eccl. Concordia*. In the Indexes of Italy, the name of Erasmus appears first in 1559, in the Index of Paul IV. In Spain, Quiroga repeats, in the Index of 1583, the titles given in the Index of Trent. In 1576, Paul Manutius printed in

[1] Friedrich, *Die Briefe Aleanders*, 102, 111, 115.
[2] Jourdain, N, 1638, 1639.

Florence, under a "privilege" of Gregory XIII, an expurgated edition of the *Adagia*. The privilege carried with it a prohibition of all other editions. The Index of Sixtus V specifies this edition as permitted, all others as condemned. The Index of Benedict XIV repeats the authorisation for the Manutius edition, and confirms the prohibition of the others unless expurgated.

The editors of the Index of Paul IV (1559) took a very serious view of the evils of the writings of Erasmus. His name is placed in Class I, and is connected with a condemnation more sweeping than that given to Luther or to Calvin; "with all of his Commentaries, Remarks, Notes, Dialogues, Letters, Criticisms, Translations, Books, and Writings, including even those which contain nothing concerning Religion." This judgment was, however, materially modified five years later by the Tridentine compilers, by whom, after some heated discussions, the name of Erasmus was transferred to Class II. The *Colloquies*, *Praise of Folly*, *Institution of Christian Matrimony*, and the *Paraphrases* (of the Gospel of Matthew) were condemned, as also certain of the *Letters*. Others of the *Letters* were restored to the class of permitted literature, but only after such eliminations and alterations that (as the chronicler remarks) they would not have been recognised by their author[1] (Erasmus had died in 1536). The record of the discussions in the commission is given in a letter written from Trent, in 1563, by the Archbishop of Prague to the Emperor (Ferdinand I). The Archbishop states that he had himself contended for the freeing of the works of Erasmus from condemnation on the ground that he had always submitted him-

[1] Buchholtz, 9. 685.

self to the judgment of the Church; that his literary undertakings had received the approval of Leo X; that he had been engaged in many sharp contests with the heretical assailants of the Church; that he had devoted to the editing of the writings of the Fathers a scholarship of which the heretics might well envy the Church the possession, and that he had died in the Faith. The Archbishop goes on to say that the majority of his associates were of another way of thinking, and had overborne the views of the few who wanted to secure the preservation of the works of an author who had done such signal service for the Church. He closes by asking the Emperor to relieve him from service on the commission. He finds it difficult to work in harmony with the churchmen from Spain and Italy who have no personal knowledge of the heretics who are trying to destroy the Church. The Emperor replied that the Archbishop, as the only German on the commission, had been continued at his post to do what he might find possible to prevent the condemnation of any further works and authors of excellence.[1]

The introduction of the Tridentine Index orders placed in Class I all authors who may have come under suspicion of heresy (*nota haeresis suspecti*), a description which may be called elastic, and which would naturally be subject to varying interpretation on the part of different persons in authority. Among the associates or correspondents of Erasmus who were placed by the Tridentine editors in the first class and who have since remained under this general condemnation, are Staupitz, Pirckheimer, Hauer, and Bellicanus. Rhenanus and Zasius were transferred in the Trent

[1] Buchholtz, 9, 685, Sickel, 424.

lists from Class I, where they had been placed by Paul, to Class II, where they have since remained.

The chief associate of Erasmus in the contest in Germany against the opposition of a large group at least among the ecclesiastics, in behalf of what may be called higher scholarship, was Reuchlin, who gave years of his life to the work of securing for the German universities the privilege of instruction in Greek and in Hebrew. After 1518, when a number of the works of Erasmus had already found place in the Index, the printers issuing editions of these within the territories controlled by Church censorship found it convenient to omit from the title-pages the name of their author. Such editions were issued, for instance, in 1520 by Paul Manutius, the son of Aldus, bearing on the title-page and in the catalogue, in place of the name of Erasmus, the words, *Batavus quidam homo.*

In the Index of 1559, the name of Erasmus is placed under the class of *Auctores quorum libri et scripta omnia prohibentur.* After the entry of the name, however, comes the following specification: *cum universis Commentariis, Annotationibus, Scholiis, Dialogis, Epistolis, Censuris, Versionibus, Libris et Scriptis suis, etiam si nil penitus contra Religionem, vel de Religione contineant.* Mendham refers to this as an illustration of the term *De omnibus Rebus et quibusdam aliis.* It may be recalled, in this connection, that as a result of the dedication to Leo X printed by this condemned writer in the first edition of his annotated Greek Testament, issued in 1516, the Pope addressed to Erasmus a letter published in the second, and in every subsequent, edition of the work, highly commending this production of his dear son. The letter contains the following expressions: *Quas nuper a te recognitas, et*

pluribus editis annotationibus, locupletatas, illustratasque fuisse certiores facti, non mediocriter gavisi fuimus, ex prima illa editione quae absolutissima videbatur, conjecturam facientes, qualis haes futura, quantumve boni, sacrae Theologiae studiosis, ac orthodoxae fidei nostrae sit allatura.[1]

If, at this stage in the history of the Church, the utterance of the reigning pope was already to be accepted as infallible, it is somewhat difficult to understand how to bring into accord with these conclusions the condemnation of half a century later, issued under the authority of the no less infallible Pius IV. A similar instance had occurred earlier in the reign of Pius II, who found occasion to include in the list of writings by Catholic ecclesiastics to be condemned a treatise written by himself eighteen years earlier under the title *Aeneae Sylviae commentaria de actis et gestis Concilii Basileen.* This condemnation is confirmed in the Tridentine Index in the following words: *In actis Aeneae Sylviae prohibentur ea quae ipse in Bulla retractationis damnavit.* Mendham speaks of this Bull as an example of a change of opinion similar to that described by another pope confronted with a similar difficulty, who explained that "when he was raised higher he saw things more clearly."[2]

In 1522, the sale and the perusal of the *Colloquies* of Erasmus, an authorised edition of which had been printed by Colines, were interdicted by the censors of the Sorbonne. Erasmus reports that before the date of the prohibition, no less than twenty-four thousand copies of this Paris edition had been sold.

In 1528, Erasmus made application for a privilege for the publication in France of his edition of the works

[1] Mendham, 47. [2] *Ibid.*, 50.

of St. Augustine, but the influence of the Sorbonne was sufficient to prevent the permit being given. The reason why Erasmus considered it important to have this work issued from Paris was that the Paris University was at the time the centre for theological undertakings, as the University of Bologna was for instruction in jurisprudence.

Erasmus was able to write in regard to the *Praise of Folly* that the pope "had read it through from beginning to end and that kings, bishops, archbishops, and cardinals were delighted with it."[1] The favour given to the book by the pope and by not a few of the scholarly ecclesiastics did not prevent its prohibition in many of the universities, including Paris, Louvain, Oxford, and Cambridge.

The prohibition of the *Praise of Folly* carried with it the condemnation of the previous writings of the author. This is the literature, cried the clergy, that comes from a knowledge of Greek.

In 1515, Erasmus took time from his literary work to interest himself in behalf of his friend, the learned and high-minded Reuchlin, the greatest Hebrew scholar of the day. Reuchlin had fallen under the persecution of the Dominicans, led by the ignorant and bigoted Hoogstraaten, for his opposition to the diabolical proposal to destroy all existing Hebrew literature, the Scriptures alone excepted. He had defended himself in a book entitled the *Speculum Oculare* (the Eyeglass), and on a mandate being issued by Hoogstraaten to burn this, Reuchlin had appealed from the Inquisition to the pope. The Bishop of Speyer, to whom Leo committed the case, gave judgment in favour of Reuchlin and imposed on his enemies perpetual silence, a sentence

[1] Drummond, i, 319.

which proved difficult of execution. Reuchlin was condemned by the universities of Mayence, Erfurt, Louvain, and Paris, although there were at the time professorships of Hebrew both in Louvain and in Paris. The matter was in some fashion again brought before the pope, to whom an earnest and eloquent appeal was made by Erasmus on behalf of his friend. The support of the Emperor Maximilian was also secured for the aged scholar who had done so much to bring honour to the cause of learning in Germany and in Europe. The pope finally confirmed the previous decision in favour of Reuchlin, a decision which rescued from the status of heresy, in which it had been placed by the Dominicans and the learned faculties of the universities, the language of the Hebrew Scriptures and the literature of the chosen people of God. Reuchlin's books were rescued from the ban and their learned author was saved from the risk of the stake.[1]

The *Colloquies* of Erasmus were published in 1518, and were reprinted in a long series of editions authorised and unauthorised. One printer in Paris, learning that the university was about to condemn the work, brought into circulation no less than twenty thousand copies.[2] This constitutes a curious example of the influence that could be exerted by an official condemnation in bringing about for the work an immediate and extended demand for a book. The writings of Erasmus were condemned *in toto*, in 1550, in the Spanish Index of that date.

In 1539, the interest of Francis in scholarship, and the influence of Budaeus caused him to invite Erasmus to Paris to take part in the organisation of a royal

[1] Drummond, i, 261; Erasmus, *Ep.*, xxi.
[2] Eras., *Op.*, iii, 1168.

college. The Emperor (Charles V) put an end to the negotiation by forbidding Erasmus (under the penalty of the stoppage of his pension) to leave the territory of the empire. It is interesting to think of the most Catholic Emperor on the one hand, and the "eldest son of the Church" on the other, contending for the services of the scholar whose writings had been condemned in Rome as heretical and were prohibited in Spain, and who could not at this time obtain from the Paris University a printing-privilege.

Among the cultivated Spaniards assembled at the court of Charles V, Erasmus became for the time the fashion. His writings secured the approval even of some of the highest dignitaries of the Spanish Church. The Inquisitor-General, Manrique, declared Erasmus to be another Jerome and Augustine. The Archbishop of Toledo wrote, when Erasmus was under criticism, assuring him of the protection and good-will of the emperor. The *Colloquies* were used as a schoolbook and the *Praise of Folly* was in the hands of all Humanists. In March, 1527, Valdes wrote to Erasmus that his books were everywhere in Spain and that no merchandise was more salable.[1] In 1527 was published a Castilian version of the *Manual of the Christian Soldier*, and in the same year, under the leadership of Dr. Edward Lee, English ambassador in Spain, a session of the supreme council of the Inquisition was called to make thorough examination of the alleged heresies in the writings of Erasmus. A list of twenty-one such heresies was framed by the examiners. The charges were finally referred to an assembly of twenty theologians and nine friars who gave to the investigation months of debate, but who arrived at no con-

[1] Lea, 36.

clusion. Charles V was persuaded to write an imperial missive in favour of Erasmus, and Clement VII issued, in 1527, a brief imposing silence on all who should attack the writings in so far as these concerned Luther. Manrique issued, on behalf of the Spanish Inquisition, an absolute prohibition of any writings against Erasmus. The influence of the antagonists of Erasmus finally, however, prevailed. In 1535, a year before the death of the author, Charles V made it a capital offence to use the *Colloquies* in schools, and in 1538 he issued a prohibition covering the *Praise of Folly* and most of the other works, excepting, however, the *Christian Soldier*. In the Spanish expurgatory Index of 1584, Erasmus occupies no less than fifty-five quarto pages. By 1640, the list of the errors of Erasmus calls for no less than fifty-nine folio pages in double columns. By this time he had come to be classed with the incorrigible heretics, and the words "*auctoris damnati*" are ordered to be inserted after his name on all title-pages. This was the final judgment of the Spanish Inquisition on Erasmus. A different view of the nature and value of the work done by Erasmus is taken by Catholic scholars of the twentieth century, although I do not venture to say that this view is general, even among the scholars of the Church. Father Shahan, of the Catholic University of America, for instance, says (in 1899) (speaking to be sure informally):

> " Erasmus rendered noteworthy service to the Church, to religion, and to scholarship. He was the counsellor of moderation, the upholder of scholarly standards, the pitiless critic and the courageous antagonist of fraud and of folly."

2. **Luther.**—It is with the work of Luther that there

begins to be a large production and a wide distribution of books in German. Up to this time the undertakings of the German printers had been restricted almost exclusively to books in Latin. The immediate distribution, however, of the writings of Luther and his associates, not only among the trade folk and working people of the towns, but through the rural districts, constitutes an evidence that the general intelligence and the education of the mass of the people had reached a much higher development than the Protestant historians of the time have been willing to admit. It is to be remembered that the readers whom Luther was reaching belonged to the generation which had depended for its education exclusively upon the monastery schools, or upon schools which were entirely under the direction of the priests. The work of the reformers was essentially a work of argument, and it could have been carried on successfully only with people who were intelligent enough to understand arguments whether presented orally or in print. That the community was as intelligent and as receptive as proved to be the case, shows how exaggerated and ill-considered are the conclusions presented by Protestant historians represented by D'Aubigné, Robertson, and others in regard to the absolute ignorance in which the Catholic teachers had left their followers. Kapp reports that of Luther's treatise on German theology no less than seventy editions were printed between the years 1518 and 1854. Of the *Address to the German Nobility*, four thousand copies were sold in five days. Of the first edition of the New Testament, printed in Wittenberg in 1522, five thousand copies were sold within three months. There seems to have been no question that the emphasis given by the

imperial and ecclesiastical censorship to the importance of Luther's writings constituted an important factor in bringing these to the attention of the public, and in securing for them the largest possible circulation.

Luther realised that, with hardly an exception, the scholarly divines of the university were antagonistic to him and to his work. He writes February 8, 1516: *Nec cessant universitates bonos libros cremare et damnare, rursum malos dictare, imo somniare.*[1]

In 1519, the doctors of Louvain published an edict ordering the burning of all copies that could be secured of the writings of Luther. A similar order was issued in 1520 by the divines of Cologne. Both orders were printed in Wittenberg, in 1520, by Melchior Lottherus. In 1521, the theological faculty of Paris issued an edict entitled *Determinationes Theologicae Facultatis Parisien. super Doctrina Lutheriana.* The edict, which was printed in Wittenberg in the same year, condemns a number of propositions from the treatise *De Captivitate Babylonica.* The theological faculty of Cologne issued, in 1532, a censure against the *Epitome of Abuses by a Reformed Monk.*[2]

In 1520, Cardinal Wolsey (in consequence of the Bull of Leo X against Luther, issued July 17th of that year) directed the English bishops to require that all the books and writings of one Martin Luther (*cujusdam M. L.*) should be delivered up by all persons possessing them, under pain of the greater excommunication.[3]

In 1522, Luther brought into print his famous German version of the New Testament; he printed of this a first impression of five thousand copies and three

[1] Luther, *Briefe.* [2] Gerdes, *Miscellanea*, Groning, i, 418.
[3] Strype, *Memorials of the Reformation: Records of Henry VIII*, ix.

months later a second impression of the same number. The Bull of Leo X excommunicating Luther, issued in 1520, condemned his works individually and collectively. The existing copies are ordered to be burned and all persons are prohibited, under severe penalties, from printing, selling, distributing, or possessing any of Luther's writings. The immediate effect of this Bull was to bring about a largely increased sale throughout Germany for everything that Luther had written, and to cause also a considerable demand for these writings in other countries. Köstlin estimates that by 1521 more than one hundred impressions had been printed of the German versions of Luther's sermons and tracts. In 1564, the restrictions upon the publishers in regard to the printing of the Lutheran version of the Bible were removed and, at the instance of the Duke of Weimer, this version became common property (*literärisches Gemeingut*) for all Germany and was formally declared free of privilege.

The circulation of the Lutheran tracts was taken charge of not only by the book-pedlars and colporteurs but by a large number of travelling preachers, *Prädikanten*. These "preachers" were in part old-time priests, but in many cases laymen of varying degrees of education or of ignorance. During the troublous times of the war of the peasants, the progress of the Reformation was checked and the circulation of the Lutheran publications in the districts affected by the uprising was for the time brought to a close.

The downfall of imperial Rome which (irrespective of the internal causes) was brought about by persistent Teutonic onslaughts, terminated the period of the world's history which is, for convenience, called classic or ancient. In like manner, the overthrow of

the world-wide domination of ecclesiastical Rome was brought about by the Teuton Luther, an attack which, supported by the Teutonic forces of North Europe, developed into a revolution against Italian rule, and terminated the epoch of mediaevalism. For long periods to come, the questions raised by Luther and his fellow-Protestants were to bring anxieties and conflicts upon popes, emperors, princes, and people. These questions were also to provide issues and themes for innumerable writers, and to secure an apparently inexhaustible supply of material for the printing-presses and the booksellers. It is not surprising that at an early period in the development of printing, ecclesiastics who were fighting for the continued domination of the Church recognised the press as a most seriously antagonistic influence, and that, during a term of two centuries, they continued to attempt to put into force machinery for the supervision and restriction of its undertakings. A scholarly American Catholic (speaking in 1905) makes reference to "the distinctive service rendered by Luther in making clear to the Church the necessity for reform, for recurrences to the earlier Christian ideals, to the standards of Gregory the Great and of Benedict."

CHAPTER XVI

THE JANSENIST CONTROVERSY AND THE BULL UNIGENITUS

1. The Jansenist Controversy.....1641–1649.
2. Quesnel and the Bull *Unigenitus* .....1671–1755.
3. Controversial Writings on Theological Morality....1667–1730.

1. The Jansenist Controversy, 1641–1649.—In 1641, was condemned by the Inquisition the *Augustinus* of Cornelius Jansen, Bishop of Yprés, which had been published in the same year, three years after the death of its author. The treatise was, it seems, classed among the writings having to do with the prohibited subject *de auxiliis*.

The *Augustinus seu doctrina S. Augustini de humanae naturae sanitate, aegritudine et medicina, adversus Pelagianas et Massilienses*, was published in 1640, in three volumes folio. The first is devoted to a historical exposition of the Pelagian and Massilian (semi-Pelagian) heresies; the second sets forth the Augustinian doctrine as to the state of innocence and the fallen state; while the third treats, in ten books, of the grace of Christ. The sting of the work is to be found in the epilogue, which draws a parallel in various particulars between the errors of the Massilians and those *recentiorum quorumdam*, the reference being to the Jesuits. In 1641, the book was prohibited by the Inquisition, but no opinion was pronounced as to its

doctrine, and the answering treatises of the Jesuits were also condemned.

In March, 1642, a Bull of Urban VIII confirms this decree of the Inquisition in spite of the continued pressure on the part of the divines of Louvain to secure a modification of the original judgment.

In 1643, Urban VIII published the Bull *In eminenti*, renewing and confirming the constitutions of Pius V and Gregory XIII and the decree of Paul V, and forbidding the reading of the *Augustinus*. The publication of this Bull resulted in the production by Arnauld, in 1644 and in 1645, of his *Apologies for Jansen*, and was also the text for the famous *Provincial Letters* of Pascal, which appeared in 1656.

In 1651, eighty-five French bishops made representations in Rome calling for the specific condemnation of five propositions contained in the treatise of Jansen. A statement was made a little later by certain other bishops pointing out that the propositions in question were open to a different interpretation from that named in the original complaint. The matter was referred to a special congregation of four cardinals, by whom it was again referred to a commission of thirteen theologians selected by the Inquisition. This second commission gave permission to the two parties to submit, in writing or in person, further arguments in regard to the matter at issue. In May, 1653, Innocent X condemned, in a Bull, the five propositions.

The text of the five propositions is as follows:

1. There are some commandments of God which just men, although willing and anxious to obey them, are unable with the strength they have to fulfil, and the grace by which they might fulfil them is also wanting.

2. In the state of fallen nature, inward grace is never resisted.

3. In the fallen state, merit and demerit do not depend on a liberty which excludes necessity, but on a liberty which excludes constraint.

4. The semi-Pelagians admitted the necessity of an inward prevenient grace for the performance of each particular act, and also for the first act of faith, and yet were heretical inasmuch as they maintained that this grace was of such a nature that the will of man was able either to resist or to obey it.

5. It is semi-Pelagian to say that Christ died or shed his blood for all men without exception.

In the Bull of May, 1653, *Cum occasione impressionis libri*, Innocent X pronounced the first four propositions to be heretical, while the fifth was declared to be false, with the addition that if it was intended to convey the meaning that Christ died only for the elect, it was impious and blasphemous as well as heretical.

The Jansenists expressed themselves as willing to accept the authority of the Pope in condemning the five propositions in their heretical sense, but contended that these propositions had not been identified with the teachings of Jansen. In September, 1654, the Pope declared that the propositions were found in the *Augustinus* of Jansen, and that their condemnation as doctrines of Jansen was imperative. Arnauld and his associates in Port Royal contended that, while the Holy See had authority to decide with respect to doctrine, and every good Catholic owed submission to such papal decisions, yet the See might be mistaken on a question of fact, such for instance as to whether a given book contained certain statements. The fullest

account of the condemnation of the Jansenist doctrines is given by De Placette.[1]

In a decree of the Inquisition, issued in April, 1654, and cited in a brief of Innocent of the same year, all writings are specifically condemned which present and defend the doctrine contained in the *Augustinus* of Jansen.

In 1657, this general prohibition was renewed and it stands in the later Indexes under the term *libri*, and, since Benedict XIV, in the *Decreta Gen.*, ii, 5. During the rule of Alexander VII (1655–1667) the question again arose whether on the ground of the Bull of 1653 it was necessary to conclude that Jansen really had taught the five propositions in the sense in which they had been condemned. Arnauld, writing in 1655, took the ground that the Bull in no way decided this matter of the actual interpretation of the propositions, but decided simply that certain doctrine said to be contained in these propositions was itself to be condemned. It was Arnauld's contention, therefore, that for devout believers a respectful silence (*silence respectueux*) concerning the issue ought to be observed. One result of Arnauld's statement was his expulsion from the Sorbonne, which was followed by the publication of the famous *Letters* of Pascal. In October, 1656, Alexander VII issued a Bull declaring that the five propositions had been correctly cited from the book of Jansen, and that the sense in which they had been condemned was the sense that the author had in his mind at the time of their writing. In this Bull, the Pope appears to make the claim, in regard to matters of dogma, of being able to determine the motives

[1] *Incurable Skepticism of the Church of Rome*, trans. by Timson, Lond., 1868, chap. v.

and the absolute purpose by which an author has been actuated in putting a statement into words.

From this time on, the main question turns upon the range or extent of the authority of the Church and particularly of the infallibility (in this matter of interpretation) of the pope. In a Bull of 1656, issued by Alexander VII as a result of an understanding with Louis XIV, it is ordered that all bishops, priests, monks, and nuns shall subscribe to a formula of which the following is the substance:

"I accept in full the authority of the Bull of Innocent X of May 31, 1653, and the Bull of Alexander VII of October, 1656, and I reject and condemn without reservation the five propositions referred to in these Bulls cited from the *Augustinus* of Jansen, in the sense which the author intended should be given to said propositions, in which sense said propositions have been condemned by the Holy See. I solemnly swear to abide by this statement, so help me God and the holy Apostles."

Four French bishops gave out in June, 1665, statements in which they declared that this formula was to be subscribed to with reservation in regard to the actual facts of doctrine contained in the series of papal bulls. These diocesan letters were themselves, in January, 1667, prohibited by the Congregation of the Index. The negotiations of the pope with the French Government in regard to further action against the four bishops was interrupted by the death in May, 1667, of Alexander VII. Under Alexander's successor, Clement IX, an agreement was arrived at, the so-called "Peace of Clement," by which the four bishops gave their signatures to the formula and addressed a memorial to the pope, stating that they were now prepared to condemn the five propositions without

reservation of any kind in the sense in which these propositions had already been condemned by the Holy See. During the next ten years, the subscription to the formula was very generally made throughout France, with the same specific statement as that given by the four bishops to the pope. In this manner was finally brought to a close the Jansenist issue. In connection with this controversy, were placed upon the Index the titles of some hundred books, monographs, and pamphlets, chiefly by French authors. The list includes no less than twenty writings of Arnauld. The Spanish Index of 1707 contains the condemnation of the original work of Jansen, and of the five propositions, together with a general prohibition of all writings supporting these propositions. These hundred titles constituted but a very small fragment of the enormous mass of literature that was brought into print in France, in Holland, and in North Germany as a result of the controversy. One work, especially characteristic of the spirit of the time, may deserve more specific mention; the calendar for 1654, issued by certain Jesuits under the title of *La Déroute et la confusion des Jansénistes*, contains a frontispiece on copper; giving on the one side a view of the pope surrounded by cardinals and prelates and a flash of lightning striking in front of the group at a hydra with five heads (the five propositions); on the other side of the plate is seated on a throne Louis XIV, to whom Justice tenders the sword. Below is a representation of Jansen with the wings of a bat, flying into the arms of Calvin and other heresiarchs who stand surrounded by monstrosities representing error, ignorance, and dissipation. This group has, like the hydra, been struck by the flash of lightning emanating from the pope. The calendar

was placed upon the Index, which did not prevent it from securing a wide circulation. Reusch speaks of a distribution during the first year of fourteen thousand copies.

Writings of the Jansenists. 1571–1711. In 1571, Pius V condemned in a separate prohibition a French version of the *Officium pavum B. M. V.* that had been prepared by one of the theologians of Port-Royal. In 1661, Alexander VII issued a brief condemning in very sharp terms a French version of the Book of the Mass, prohibiting also in general terms all editions in the vernacular of the Book of the Mass. In 1695, was prohibited a volume by Le Tourneaux, *L'Année Chrétienne*, because its text included a French version of the prayers of the Mass. A later prohibition of translations of the prayers of the Mass which had been accepted by the Jansenists, although evoking protests from the French bishops, was recalled. Benedict XIV recalled also the prohibition of Alexander VII which had been issued in 1661, with the general wording *Missale Romanum e Latino idiomate ad Gallicam vulgarem linguam conversum et typis evulgatum.* In 1668, a brief of Clement IX prohibits a translation of the New Testament which had been prepared by one of the divines of Port-Royal and which was known as the New Testament of Mons. This prohibition was, however, expressly limited to the edition in question, probably on the ground of certain of the notes contained in it. Clement does not undertake any general prohibition of editions in the vernacular of the Bible. In 1674, was prohibited a treatise issued under the title of *Monita Salutaria D. M. V.* This contains an argument against certain abuses that had arisen in the worship of Mary. It was sharply assailed by the

Jesuits and was defended by most of the opponents of Jesuitism. There also found their way into the Index a series of later publications written to maintain the views of the *Monita*, including a treatise by Bailliet. A volume by Bailliet, presenting a study of the Saints, was prohibited on the express ground that it was hypocritical in character. Bailliet had undertaken in his biographies of the Saints to distinguish between the miracles and stories which were to be accepted, and others of which in his judgment the records were untrustworthy. Benedict XIV presents the conclusion that Bailliet had gone too far with his criticisms. He says[1]: *Homo vel certissimarum rerum veritatum, ut intemporenti ingenio est, sollicitans.* The Bishop Gapi, in 1711, prohibits the entire work on the ground that a number of dogmas and disciplinary articles were considered in it in a Jansenist or even a Protestant sense. The prohibitions had the effect, as was usually the case, of increasing the repute and the circulation of the work, which was repeatedly reprinted.

A treatise by Antoine Arnauld on frequent communion, published in 1643, was promptly denounced by the Inquisition although it had secured the approval of the French bishops. In 1645, the Abbé Bourgois succeeded in securing a cancellation of the judgment of the Inquisition. A century later, a Jesuit reply to Arnauld's treatise, written by Pichon, came into the Index. In 1647, the Inquisition prohibited a volume by Martin de Bircos written in support of the doctrines presented by Arnauld. Martin speaks of the Apostles Peter and Paul as the "two leaders" of the early Church, which constituted the chief ground for the condemnation of the book, the authorities maintaining

[1] *De Festis*, 2, 16, 8.

that the subordination of Paul to Peter was the only sound doctrine. Since the time of Benedict XIV, a general prohibition stands in the *Decreta Gen.* under the term *libri*, of all writings maintaining any opinion adverse to the supremacy of Peter.

Controversies Connected with the Jansenist Contests. During the 17th century, were prohibited a number of writings appearing outside of France and the Netherlands, which, while not classed directly as Jansenist, were concerned with the doctrine of Grace. In 1673, a treatise by the Augustine Noris (who was made a cardinal in 1695, and who died in 1704) on Pelagianism and the doctrine of Grace, was repeatedly condemned by the Jesuits and the Franciscans as containing Jansenist heresies. The volume was brought to Rome for investigation three times, and each time was declared to be sound in its orthodoxy. A number of other works which were denounced before the Roman authorities by the Jesuit leaders, on the ground of containing Jansenist heresies, the Congregation refused to condemn. The authors were in large part Dominicans and Augustinians who had brought into print the traditionary doctrine of Grace as taught in their own schools. Cardinal Bona complained that during these years every one who was not a Molinist was denounced by the Jesuits as a Jansenist. The Spanish Dominican, Gonzalez de Rosende, and the French Oratorian Jeunin, are the only theologians of note who come into the Roman Index during this period. The Congregation condemned, in 1722, a censure of the faculty of Douay in which the Dominicans, Contenso and Massoulié, had been accused of being Jansenists. The edition of the work of St. Augustine, edited by the Benedictines of St. Maur, was accused of being

tainted with Jansenism, but the work succeeded in securing the approval of the Roman authorities. In 1704, a brief of Clement XI condemned a volume by Launoy, printed after the author's death, in which the Augustinian doctrine of Grace was sharply opposed. A brief of Clement IX, in 1668, condemned the edition of the New Testament printed in Mons, the editors of which were charged with Jansenism.

La Bibliothèque Janséniste. In 1722, the Jesuit Dominique de Colonia, published under the title *Bibliothèque Janséniste* a schedule of writings which the Jesuits classed as Jansenist in doctrine. The list includes the titles of a number of works which had not been prohibited in the Roman Indexes. In the Spanish Index of 1747, is included as an appendix this schedule of De Colonia reprinted from the second edition of his work. In both lists is included the title of a treatise by Cardinal Noris which, while more than once denounced in Rome, had, after repeated examinations, secured from the authorities a final approval. Application was made in 1748 by Benedict XIV to the inquisitor-general of Spain to cancel the condemnation of the treatise by Noris. This request received at the outset no consideration, but in connection with a later personal appeal from the Pope to the King of Spain, the condemnation was rescinded in 1758.

The *Bibliothèque Janséniste* was, in 1749, prohibited by the Congregation of the Index. In 1750, were prohibited the *Pasquille* written by the Jesuit, Ricchini, secretary of the Congregation. In 1752, Patouillet published a largely extended edition of the Bibliothèque under the title *Dictionnaire des Livres Jansénistes.* In this edition, the name of Noris was omitted, but there were included a number of works which, after examina-

tion had been approved in Rome, such as for instance the treatises by the Augustinians, Bellelli and Berti. This *Dictionnaire* was prohibited in 1754.

Pascal and Arnauld concerning the Morality of the Jesuits. The famous *Letters* of Pascal, which were issued in 1656 without the name of the author, were promptly prohibited by the Inquisition in 1657. The title of the book has been continued in later Indexes in the class of anonymous writings. Certain defences of their doctrines against the assaults of Pascal published by the Jesuits, were themselves prohibited. The most noteworthy of this group of Jesuit replies were the treatises by Pirot and Daniel. A Latin edition of the Pascal *Letters*, published a year or two later under the name of Wendrockius, was not prohibited, while a reply to the same, published under the name of Stubockius, was placed on the Index. The essay by Arnauld, printed in 1643 under the title of *Théologie Morale du Jesuit*, can be considered as a precursor of the Pascal *Letters*. In 1669 and 1683, were printed the first two volumes of a work entitled *Le Morale pratique des Jesuits*, which was written by the Abbé de Pont Château. During the years 1689–1695, five additional volumes were issued under the same title, which were the work of Arnauld. The first two were prohibited but the last five escaped condemnation. In 1700, was prohibited the *Teatro Jesuitico*, a monograph written against the Jesuits by Le Tellier, which had been published forty-six years earlier. One matter which receives in these volumes of Arnauld a large measure of attention, the contest between the Jesuits and Bishop Palafox, was the subject during both the 17th and 18th centuries of a large amount of controversial writing, and plays an im-

portant part in the Spanish Index. A decree in the Roman Index of 1656 orders eliminated from one volume of the Lyons edition of the Bellarmin six pages which give the Jesuitical view of the decision presented in the brief of Innocent X concerning this matter of Palafox. Palafox, who was a Dominican, had been a bishop in Mexico, but in 1653, became Bishop of Osma where he died in 1659. It was in Osma that he came into issue with the Spanish Jesuits and, in 1649, he presented to Innocent X a formidable brief or complaint against Jesuit theory and practice. In 1648, the Pope gave a decision in favour of the Bishop.

Contests in the Netherlands, 1690–1712. The contest in the Netherlands between the Jansenist and the Jesuit parties in the Church became active after Precipiano, heretofore Bishop of Bruges, had, in 1690, become Archbishop of Mechlin. In 1690, he attempted in union with the other bishops, to put into shape a formula or declaration which went far in advance of that issued by Alexander VII. Innocent XII, in a brief issued in February, 1695, ordered that subscriptions should be required only for the formula of Alexander VII and that demand should be made, on the part of those giving this subscription, for the condemnation of the famous propositions taken from the book of Jansen in their obvious or essential meaning (*in sensu obvio*) without reference to the sense that may have been intended by the author (*in sensu ab auctore intento*). At the same time, the Pope ordered that no further references should be made in regard to the interpretation of the formula or the matter of the five propositions, and the bishops were prohibited from making such question or requirement of inter-

pretation a ground for the exclusion from office or from functions of any ecclesiastics, or that on the same ground any ecclesiastic should be classed as a Jansenist. This decision may be considered as a confirmation of the "Peace of Clement IX." At this time were prohibited a number of writings containing denunciations of Belgian Jansenists, and a number of other controversial writings, including a treatise by the Jesuit, Jacques de la Fontaine, who was the confessor of Archbishop Precipiano. Precipiano on his part, in a decree of January, 1695, undertook to prohibit Jansenist writings, and he secured in this year orders from the King of Spain (Charles II) under which all those suspected of Jansenist doctrines were to be ruled out of office whether ecclesiastical or civil. As a result of fresh complaints presented in Rome, Innocent XII issues in July, 1696, a second brief confirming the earlier one and declaring specifically that no modifications should be made in the terms of the Bull or of the formula of Alexander VII. In the years succeeding, there continued to be placed in the Index, apparently for the purpose of checking the controversy, a number of writings against the Jansenists. The list of writers includes Palazol and Desirant. In 1703, Precipiano took fresh action against the Jansenists—Gerberon and Quesnel who, since the death of Arnauld (in August, 1694) were held as the leaders among the French Jansenists in Belgium, were arrested under the authority of the Roman Inquisition and of the Spanish Government, were tried and were declared to have fallen under excommunication. There came into the Index lists, in connection with this later outbreak, controversial writings by Opstraet, Henricus a. S., Ignatio, and Fr. Martin. In January,

1695, Bishop Precipiano published, in the form of a diocesan decree, a small Index of his own which was devoted entirely to Jansenist writings. The sixty titles in the lists include various treatises of Arnauld, Huygens, Quesnel, Gilles de Witte, and a number of anonymous controversial monographs. In Rome, no attention was paid to this Index, and a remonstrance printed by Quesnel was not even prohibited. Precipiano prohibits the reading, copying, or distribution of a letter addressed to him in February, 1694, by Hennevel, which letter concerned itself with the matter of the formula. The Inquisition condemned this letter on the ground of the disobedience of the instructions of the pope for silence in regard to the subject and also because of certain ill-advised expressions, and Hennevel was a few months later compelled to retract his utterance. A letter of Precipiano, addressed to the court at Madrid, and written in 1695, says:

"It is impossible to rout out Jansenists from the Netherlands unless the King accomplishes this through his own authority. From Rome under the present Pope nothing is to be hoped. He himself will do nothing and he leaves the responsibility to the Congregations which were demanded by Cardinal Casanoti and Bernini who are protectors of the Jansenist heresies." [1]

Arnauld, who may be classed as among the most important of the defenders of Jansenism, died in 1694. Very few of his writings had escaped the prohibition of the Index but the Memoirs of him written by Quesnel, *Histoire de la vie et des ouvrages de Monsieur Arnauld*, printed in 1695, escaped condemnation. As late as 1704, however, was prohibited the treatise by Arnauld entitled *Instructions sur la Grâce selon l'écriture et les*

[1] Gachard, *Histoire de la Belgique*, i, 99.

pères, avec l'exposition de la foire de l'Eglise Romaine touchant la Grâce et la predestination.

The Church of Utrecht. The issues between the two great divisions of Church opinion which were classed, speaking briefly, as Jansenist and Jesuit, were active also in Holland, although in that country the Catholic Church had a comparatively small group of followers and the direct Jesuit influence was itself inconsiderable. In Holland as in England, the question arose as to whether Catholics residing in Protestant lands were properly subject to local bishops or to Apostolic vicars. In England, during a series of centuries, Apostolic vicars had exercised the control over the faithful and the larger number of the English Catholics did not come into relations with any local bishops. In Holland, however, the hierarchy of the Church had never been entirely destroyed. There remained, for instance, in active existence chapters by which were elected archbishops of Utrecht who exercised control over the Catholics in the five suffragan bishoprics for which, since the Reformation, no suffragan had been appointed. It was contended on the one hand that these archbishops retained the full authority of the office, even in the cases in which the office was held not by the Archbishop of Utrecht but by an official taking his title from a foreign bishopric or archbishopric; on the other hand, the view was maintained that since the Reformation, Holland possessed the character of a mission land and that the archbishop possessed the functions only of an Apostolic vicar. These issues brought about a formal breach between those holding the two sets of opinions, when, in 1702, Clement XI deposed the Archbishop, Peter Codde, and named as Apostolic-vicar Theodor Cock. The latter

was not permitted by the Government of Holland to make his residence in the country and the supervision of the "Dutch Mission" was therefore transferred to the nuncius in Cologne. The chapters in Holland protested against this measure and, after 1724, they elected in unbroken succession archbishops of Utrecht who, between 1742 and 1758, made appointments of bishops for the dioceses of Haarlem and Deventer. The breach was still further widened because the Chapters of Utrecht and Haarlem and the ecclesiastics belonging to these dioceses appealed for a decision of a general council of the Church, not only in regard to the particular papal measures above specified, but also on the ground of the Bull *Unigenitus*. In 1707, were prohibited in a brief of Clement XI a long series of works by Dutch writers having to do with the deposition of Archbishop Codde and, later in the year, came also into the Index a number of further treatises written in defence of the claim of the Church of Utrecht. The most important works of this group were those of the Louvain jurist, van Espen, whose *Jus ecclesiasticum* was prohibited in 1704 and whose name came into the Index in 1734 connected with his entire series of writings.

2. **The Bull Unigenitus.**—Pasquier Quesnel (1634–1719) published in 1671, the first part of his *Commentary in the New Testament*. The completed work was prohibited in 1708, in a brief of Clement XI. In 1675, Quesnel published an edition of the works of Leo the Great, the notes to which he utilised for a defence of Gallican liberties. This work was placed on the Index in 1676. In 1685, finding himself unable to subscribe to a document in condemnation of Jansenism, Quesnel retired from Orleans to Brussels. There, as a result

in part of his association with Arnauld, he completed, in 1695, under the title of *Reflexions Morales sur le Nouveau Testament*, the *Commentary*, the first part of which had been issued in 1671.

At the instance of Louis XIV, Clement issued in September, 1713, the Bull *Unigenitus* in which the condemnation of the Commentary of Quesnel is confirmed and a hundred and one propositions selected from the Commentary are specifically condemned. In the case of a number of these propositions, no specification is given in the Bull for the ground of their disapproval, and it was contended by the supporters of Quesnel that it was not possible to point out in these any utterance of heresy or of unsound doctrine.

The following propositions may be cited as representing the character of the series:

79. Utile, et necessarium est omni tempore, omni loco, et omni personarum generi studere, et cognoscere spiritum, pietatem, et mysteria Sacrae Scripturae (It is useful and necessary at all times, in every place, and for every sort of person, to study and know the spirit, the piety, and the mysteries of Holy Scripture).

80. Lectis Sacrae Scripturae est pro omnibus (The reading of Holy Scripture is for all).

81. Obscuritas sancta Verbi Dei non est laicis ratio dispensandi se ipsos ab ejus lectione (The sacred obscurity of the Word of God is no reason for the laity to absolve themselves from the reading of it).

82. Dies Dominicus a Christianis debet sanctificari lectionibus pietatis, et super omnia Sanctarum Scripturarum. Damnosum est velle Christianum ab hac lectione retrahere. (The Lord's day should be kept holy by Christians by pious reading, and above all

by the reading of Holy Scripture. It is hurtful for a Christian to wish to withdraw from such readings).

83. Est illusio, sibi persuadere, quod notitia Mysteriorum Religionis non debeat communicari foeminis, lectione sacrorum librorum. Non ex foeminarum simplicitate, sed ex superba Virorum scientia, ortus est Scripturarum abusus, et natae sunt haereses. (It is a mistake to believe that knowledge of the mysteries of religion ought not to be communicated to women by the reading of the holy books. Not from the simplicity of women, but from the haughty science of men has the abuse of the Scriptures arisen and have heresies been born.)

84. Abripere e Christianorum manibus Novum Testamentum, seu eis illud clausum tenere, auferendo eis modum illud intelligendi, est illis Christi os obturare (To tear the New Testament from the hands of Christians or to keep it closed to them by depriving them of this mode of understanding, is to stop for them the mouth of Christ).

85. Interdicere Christianis lectionem Sacrae Scripturae, praesertim Evangelii, est interdicere usum luminis filiis lucis, et facere ut patiantur speciem quondam excommunicationis (To forbid Christians the reading of Holy Scripture, especially of the Gospel, is to forbid the use of light to the children of light, and to make them suffer a certain form of excommunication).[1]

The Bull was accepted and published by the Parliament of Paris and by a majority of the faculty of the Sorbonne, and it was also published in the dioceses in the greater number of the bishoprics. The Cardinal Noailles, Archbishop of Paris, in making publication of the Bull, gives his general approval with certain

[1] Mendham, 192.

reservations which were held by the Holy See to be invidious and as tending to schism. The Cardinal's brief was itself condemned by the Inquisition. After the death of Louis XIV (September, 1715), the theological faculties of the Sorbonne and of the French universities made open declaration against the Bull, and no less than thirty bishops declared that they had accepted the Bull only on condition of certain reservations and explanations. The bishops made applications to the Regent to secure from the pope an interpretation of the full purport of the hundred and one propositions and an explanation of the precise grounds for the condemnation of these. In 1717, four of the French bishops made appeal to the general council for a decision in the matter. Later, other bishops, including Cardinal Noailles and a number of ecclesiastics and laymen, united in this appeal. This group were given the name of Appellants and their opponents were called Acceptants or constitutionals. The question as to whether the hundred and one propositions were or were not heretical or erroneous, fell more and more into the background and the issue finally took the shape as to whether a dogmatic Bull was to be accepted as a final decision of questions of doctrine, and whether such Bull was to be obeyed as an infallible and final judgment. The pope, however, so far from modifying in any way the decision presented in the original Bull, re-emphasised his position in a second Bull issued in 1719. In this, he presents the conclusion that the condemnation of the propositions was in itself final and authoritative and demanded from the Church unquestioning obedience. In 1720, an understanding was arrived at under which certain of the Appellants recalled their signatures to the

original application while others repeated the first contention. These latter came to be known as Re-appellants.

In 1722, seven French bishops appealed to Innocent XIII to revoke the Bull and to summon a general council. Their letter was formally condemned by the Inquisition. Benedict XIII, in a Bull issued in 1724, declares that the doctrines of St. Augustine and St. Thomas Aquinas are not affected by the Bull *Unigenitus*. The Pope was personally inclined to enter into further explanations or definitions of the purport of the Bull, but a provincial council, held in Rome in 1725, had taken the ground that the Bull was to be accepted as a rule of faith, and, in 1727, the Pope confirmed the proceedings of a provincial council held at Embrunn, at which council Bishop Soanen of Sénez, one of the most active of the Appellants, had been suspended. As a result of this action of the council and of the approval given to the same by the Pope, the open opposition to the Bull on the part of the French bishops was for the time brought to a close, and in 1730, the faculty of the Sorbonne also gave in its submission. In 1734, the Dominican, Serry, published anonymously, under the title *Theologia Supplex*, an analysis of the purport of the Bull, with reference more particularly to the condemnation of certain of the one hundred and one propositions in which it had not proved practicable to indicate any heretical teaching. This treatise was promptly prohibited, as had been done with Serry's previous volume on papal infallibility.

A letter of the Duchess of Orleans (Elizabeth Charlotte of the Palatinate) written during the last years of Louis XIV, contains the following reference to the Bull:

"*On avait fait au Roi une telle peur de l'enfer, qu'il croyait que tout ceux qui n'avaient pas été instruits par les Jesuites étaient damnés, et qu'il cragnait d'être damné aussi s'il les fréquentait. Quand on voulait perdre quel qu'un, on n'avait qu'à dire: il est Huguenot ou Janséniste; alors l'affaire était faite.* The Maréchal d'Harcourt says that a Jansenist is nothing else than a man that one desires to hang as quickly as possible."[1]

After 1731, the Parliament of Paris took action antagonistic to the position of the so-called Curialist bishops (the bishops who had given their adhesion to the full contentions of the Holy See) more particularly with reference to the policy pursued by these bishops in refusing to the Appellants the privilege of the sacraments and of burial in consecrated ground. The bishops had question among themselves in regard to the recognition of the authority of the Parliament to take action in a matter so purely ecclesiastical, and they made application to Rome for instructions. In a brief issued in October, 1756, Benedict XIV decided that the sacraments should be denied only to the more strenuous and noteworthy of the opponents of the Bull. This decision caused no little dissatisfaction to the more bitter of the antagonists of the Appellants, particularly because the Pope had referred to the Bull not as expressing a final and immutable conclusion of the Church, but simply as a papal utterance which was entitled to respectful acceptance.

The Indexes of Innocent XIII and Clement XII contain the titles of about one hundred works which had come into print as a result of the controversies concerning the Bull. The list includes twenty-two official publications (decrees, pastoral letters, appeals

[1] d'Aguesseau, *Mémoires*, 13, 123.

to Rome, etc.) of the French bishops, and four edicts of the Parliament of Paris. These official documents were for the greater part condemned under the authority of the Inquisition, but in a few instances, the condemnation was arrived at by a papal brief. In the case of Colbert, Bishop of Montpellier, and of Caylus, Bishop of Auxerre, the entire works were prohibited, on the ground, apparently, of certain utterances in sympathy with the Appellants. The hundred prohibited works comprised but a small proportion of the mass of literature in regard to the controversy that came into print. For the purpose of meeting the risk of the omission of controversial writings of importance, the Inquisition had, as early as February, 1717, prohibited all writings in which the Bull might be in any manner opposed or criticised, directly or indirectly. This prohibition, as worded, appears to cover not only works at that time in existence, but all others of the character specified which might later be printed or written.

This general prohibition was incorporated by Benedict XIV in the *Decreta Generalia*, ii., 61, with the addition of the following classes: all books written in support of the conclusions presented in the writings of Quesnel; all appeals from the authority of the Bull to a general council; all resolutions and decisions coming from the theological faculties or individual theologians or academies, in which were presented any criticisms of the papal authority or of the policy indicated in the Bull; all acts, decrees, letters, declarations and statements of any kind in which, under the pretence of the explanation of doctrines or of the analysis of the relations between the authority of the pope and that of civil government, or under any pre-

tence whatsoever, the validity and conclusive authority of the Bull were in any way brought into question. This prohibition, as worded, was made to apply not only to writings at that time in existence but to any future writings of the character specified.

In the Spanish Index of 1747, the Bull *Unigenitus* is printed in full, and all the writings of Quesnel are prohibited. The Spanish Index contains, however, but a small portion of the long series of works produced by the controversy which had been condemned in Rome. The Spanish compilers added the titles of some few works which had escaped the attention of the Roman Inquisition.

The Bull bearing the title *Unigenitus Dei Filius* was signed by the Pope (Innocent XII) on the 8th of September, 1713. It begins with the statement that a work had been brought into print in Paris in 1699, which it had been found necessary to condemn.

This work is entered in the Index under the title *Abrégé et Testament* (no reference is made by name to Quesnel). "On a first examination, the earnest reader may easily be attracted by the appearance of piety and of scholarship, but the volumes present in fact, intermingled with accepted Catholic doctrines, a series of lies and of pernicious errors." The insidious teachings in these volumes had misled not a few of the faithful and had even secured the approval of certain of the French bishops. "It had therefore seemed to the Holy See to be essential to make clear to the Church the serious and pernicious nature of the doctrines that the writer of these volumes was attempting to maintain; and to this end would be presented, with the necessary interpretations, a series of propositions selected from the text." The Pope felt assured

"that a thorough exposition of the errors contained in these propositions should prove of service to the faithful throughout the world and ought to be of particular service in bringing to a close the unprofitable contests that had arisen in France. Such an authoritative exposition had in fact been applied for by the French bishops and by King Louis." This statement is followed by the citation (given in both French and Latin) of one hundred and one propositions, with references in the margin to the pages of the original text from which they had been cited. These propositions are there described as "false, deceitful, injurious for pious ears, as tending to undermine the beliefs of the faithful, the creed of the Church, and the foundations of the civil power, as godless, blasphemous, and schismatic. They have for their purpose the strengthening of the influence of damnable heresies, and especially of those which have emanated from the Jansenists."

The specific condemnation of these particular propositions is not to be understood as an approval by implication of the remaining text of the book. The whole work is pernicious and the reading of it is prohibited. The text itself of the New Testament that has been printed in connection with the commentary has been corrupted in the most abominable fashion. The reading, printing, or distribution of the book brings upon the delinquent the penalty of the *excommunicatio latae sententiae* and the same penalty is made to apply, without further specification, to all works in existence or hereafter produced which may undertake the defence of the Quesnel volumes.

The Jesuit Daubenton, writing from Rome to Fénelon, says:

"No work has ever received a more thorough, compre-

hensive, and conscientious examination. During a term of three years, a group of the most able theologians in Rome, representatives of the several schools of doctrine and of ecclesiastical thought, gave their labour to this examination. The examiners included Le Drou from the Augustinians, the master of the palace and the secretary of the Index Congregation from the Thomists, Palermo Santelia from the Scotists, Alfaro, for the Jesuits, the Bishop of Lipari, a Benedictine, for the school of Anselm, Castelli for the mission orders, etc."

Writing to Fénelon after the publication of the Bull, Daubenton says:

"Everybody appears to have taken action to prevent this Bull from being given out. A number of the cardinals have represented that there was risk of serious dissension in the Church. The Pope remained firm in his decision to meet the wishes of the King. The Bull is finally accepted by the cardinals only after a bitter contest. The Dominican cardinal, Ferrari, felt at one time assured that he would be able to prevent the publication."[1]

Gieseler points out[2] that the one hundred and one propositions include a number for which conclusive authority can be found in the Scriptures themselves, while others are taken directly from the writings of St. Augustine and of others of the Fathers. The Bull fails to make clear, he says, the sense in which these are erroneous or the grounds on which they are to be condemned. Fénelon, who was much pleased at the publication of the Bull, writes that "the fear of a possibly unjust excommunication ought not to be permitted to deter us from doing our direct duty; but if the

[1] *Corr. de Fénelon*, iv, 325–370.
[2] *Kirchengesch.*, iv, 49.

excommunication constitutes an injustice only in the conception of the person concerned and the duty is but putative or imaginary, or there is at least good ground for doubt in regard to it, then is the proposition false, and all the more dangerous because it bears the appearance of truth."

The Jesuit Yves André († 1764) writes[1]:

"I perceive here propositions which are bad in purpose and in conclusion, grouped together with others which represent manifest truths. These two classes are condemned together with a long string of invectives and no explanation is vouchsafed to us as to the varying grounds for the condemnation of statements which differ materially from each other."

The Bull was referred by Louis XIV to a commission of bishops which decided that it should be published accompanied by a pastoral letter presenting explanations of the essential matters in question.

In March, 1714, the Sorbonne, after some stirring discussions, accepted the Bull by a bare majority. In 1714, at the special instance of the pope, the Congregation condemned the *Lettre Pastorale et Mandement* of Cardinal Noailles, Archbishop of Paris, as heretical and tending to schism. Louis XIV had previously, in indignation at the "Jansenist views" of the Cardinal, indicated by his opposition to the Bull, forbidden him approach to the court.

In 1714, the King suggested to the pope the desirability of calling a national council of the French Church, for the general object of bringing to a close the remnants of the Jansenist dissensions, and with the special purpose of bringing discipline to bear on Cardinal Noailles. The pope gave favourable con-

[1] *Epp.*, 163.

sideration to the plan, but the death of the King, in September, 1715, prevented its being carried out. The Duke of Orleans, who became Regent, was less sharply opposed to the Jansenist group. He prohibited, in 1716, the printing of certain censures that had been ordered by the Assembly of the Clergy for treatises by du Fouillon on the Bull *Unigenitus*, and on the Evidence of the True Faith. The Sorbonne, in modification of its previous conclusions, made in December, 1715, a renewed protest against the Bull, which protest was supported by the other theological faculties of the kingdom. Thirty bishops declared to the Regent that they had given their acceptance of the Bull only on condition that it should be published with explanations and specifications.

Clement XI demanded the immediate submission, under penalty of deposition, of Noailles and the protesting bishops. He declared that the bishops named by the Regent would be confirmed only after they had given in their assent to the publication and execution of the Bull; and he suspended, in November, 1716, by a brief, the privileges that had been conveyed by the Holy See to the Sorbonne. These briefs were, however, refused confirmation and publication by the Regent and the Parliament. During 1717, the Inquisition condemned, at the instance of the pope, a series of statements and letters from the French ecclesiastics, and of acts of the Parliament, and also certain decrees of the Sorbonne. In October, 1717, the Regent commanded that there should thereafter be absolute silence concerning these ecclesiastical issues, and the Parliament condemned and prohibited certain writings, including an appeal from Noailles and the decree of the Inquisition. Under Innocent XIII, who, in 1721,

succeeded Clement XI, the contest and the controversies continued, and the lists of the Index were swelled with the titles of the controversial monographs, letters, etc.

In the Netherlands, the opposition to the Bull *Unigenitus* was even stronger than in France, representing in fact a substantial unanimity on the part of the clergy. Under the direction of De Bossu, the successor of Precipiano as Archbishop of Mechlin, the Church of Utrecht took the lead in the contest. A series of the writings of the Netherland divines, which were important only in connection with the pending question, were placed on the Index promptly after publication.

In Italy, the Bishop of Orvieto was, in 1719, denounced as an opponent of the Bull, and was imprisoned. After he had formally recanted his declaration, he was confined for the remainder of his life in a monastery. In 1724, Innocent XIII was succeeded by Benedict XIII, a Dominican and a Thomist. The new Pope took steps to allay, through a more liberal interpretation of the Bull, the antagonisms that had arisen. A Roman provincial council, called in 1725, arrived, however, at the conclusion that the Bull must be respected by all the faithful.

In 1728, Noailles, at that time seventy-seven years old, apparently wearied of the long struggle, recalled his previous protests and accepted the Bull. He received from the Pope a jubilee Bull and letter of congratulation. He died the year following. In 1730, the Government secured the acceptance of the Bull on the part of the Sorbonne by means of the deprivation, for forty-eight of its antagonists, of the right to vote. This appears to have brought the

matter to a close as far as France was concerned.

In 1727, died François Paris, a deacon of Paris, who was credited with having worked a series of miracles. Paris had been known in Rome as an active opponent of the Bull *Unigenitus*. The Inquisition took prompt action therefore in condemning, in 1731, the *Memoirs of Paris*, and various records of his miracles. He was described as a stubborn Jansenist, a schismatic, and a heretic, and his "false miracles" as calculated to injure the faith of believers, and to render them disobedient to the See.

Under Clement XII, were prohibited later a long series of writings on the miracles. Under Benedict XIV, were placed upon the Index, among other works on the same subject, a record of the life of Jean Soanen and his *Testament Spirituel;* a narrative of the miracles produced in the person of Marianne Pollet; the posthumous works of the Bishop of Babylon, on the ground of the consideration given in these to certain miracles that had been worked against the Archbishop of Sens. In 1755, a convention of the French clergy gave consideration to the question of the treatment to be given to the opponents of the Bull, more particularly with reference to the administration of the sacraments. The majority opinion was in favour of mild measures. The conclusions were submitted to Rome, and the decision given by Benedict XIV confirmed the policy of the mildest possible treatment of the minority party.

In connection with the controversies concerning the Bull *Unigenitus*, there arose in France further issues in regard to the relations between the several orders of the clergy. Writers like Nicholas le Gros (1675–1751) took the ground that the bishops had authority to give binding decisions in regard to such matters as the

acceptance of a Bull, etc., only in connection with conclusions arrived at by the whole body of the clergy. Another writer took the ground that between bishops and priests there was no essential difference. A number of these writings were formally censured by the Sorbonne and by diocesan conventions, but no one of them found its way into the Index.

3. Controversial Writings between 1665 and 1730 in Regard to Theological Morality.—In September of 1665 and May of 1666, under edicts of Alexander VII, a long series (forty-five in all) of propositions of the Casuists were condemned without specification of the books in which these propositions had appeared. Similar edicts were published later under Innocent XI and Alexander VIII. Matthaeus de Moya, writing first under the name of Giumenus, undertook the defence of the Jesuit Casuists against the doctrines of Spanish theologians, chiefly Dominicans. This *Apologia* of de Moya was, in 1665, sharply censured by the Sorbonne and was prohibited in 1666 by the Index Congregation, in 1675 by the Inquisition, and in 1680 by a special brief of Innocent XI. In Spain, the work of De Moya, so far from being prohibited, was held in general favour. In 1670 and 1672, under Clement X, were prohibited writings by Fabri and Baron. Fabri was one of the most noteworthy of the Dominican critics of the Jesuits, and Baron was one of the most learned of the Jesuit Casuists of his day. Neither of these volumes appears in the Spanish Index. One of the more important of the works on theological morality by a Jesuit, was printed in 1694 by Thyrsus Gonzalez, General of the Order, under the title of *Probabilissimus*. This treatise is described as taking strong ground against a number of the Jesuit contentions and theories. Gonzalez had

apparently undertaken to correct certain moral principles maintained by his Order, principles which were in his judgment erroneous. In 1705, a treatise of the Jesuit Balthazar Francolinus, under the title of *Rigorismus*, was printed in Rome with the approval of Clement XI; a number of replies to this were prohibited.

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